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Commission on Crime Prevention and Criminal Justice

Report on the twenty-fourth session (5 December 2014 and 18-22 May 2015)

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Note

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Executive summary

The present summary has been prepared pursuant to the annex to General Assembly resolution 68/1, entitled "Review of the implementation of General Assembly resolution 61/16 on the strengthening of the Economic and Social Council", in which it is stated that the subsidiary bodies of the Council should, inter alia, include in their reports an executive summary.

The Commission held its twenty-fourth regular session from 18 to 22 May 2015. The present document contains the report on the twenty-fourth session and, in chapter I, the text of the resolutions and decisions adopted by the Commission and/or recommended by the Commission for adoption by the Economic and Social Council and/or the General Assembly.

At its twenty-fourth session, the Commission considered strategic management, budgetary and administrative questions, the integration and coordination of efforts by the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, including issues related to the ratification and implementation of the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption, the international instruments to prevent and combat terrorism, as well as other crime prevention and criminal justice matters, and the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice. Furthermore, the Commission considered the use and application of United Nations standards and norms, as well as world crime trends and emerging issues and responses, in the field of crime prevention and criminal justice.

The prominent theme for the twenty-fourth session of the Commission was "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice", which was also the topic of the thematic discussion held during the session on 19 May 2015. The thematic discussion was organized into panel discussions, which focused, in particular, on the following sub-themes: (a) From Doha to New York: contribution of the Thirteenth Congress to the discussions on the post-2015 development agenda; and (b) Implementing the Doha Declaration: paving the way to Japan.

The Commission recommended to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly: (a) "Thirteenth United Nations Congress on Crime Prevention and Criminal Justice"; (b) "United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)"; (c) "Taking action against gender-related killing of women and girls"; and (d) "Technical assistance for implementing the international conventions and protocols related to counter-terrorism".

The Commission recommended for adoption by the Economic and Social Council the following draft resolutions: (a) "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons"; and (b) "Improving the quality and availability of statistics on crime and criminal justice for policy development". The Commission also recommended for adoption by the Council the following decisions: (a) "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime"; (b) "Report of

the Commission on Crime Prevention and Criminal Justice on its twenty-fourth session and provisional agenda for its twenty-fifth session"; and (c) "Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

Furthermore, the Commission adopted the following two resolutions and one decision: (a) "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime"; (b) "Strengthening crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences"; and (c) "Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recalling its resolution 46/152 of 18 December 1991, in the annex to which Member States affirmed that the United Nations congresses on crime prevention and criminal justice should be held every five years and should provide a forum for, inter alia, the exchange of views between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines; the exchange of experiences in research, law and policy development; and the identification of emerging trends and issues in crime prevention and criminal justice,

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits, and invited the intergovernmental bodies of the United Nations system to further promote the implementation of the outcomes of the major United Nations conferences and summits,

Recalling further its resolution 69/191 of 18 December 2014, in which it requested the Commission on Crime Prevention and Criminal Justice to give high priority at its twenty-fourth session to considering the declaration of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its seventieth session,

Bearing in mind its resolution 67/1 of 24 September 2012 on the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels, and its resolution 69/195 of 18 December 2014 on the rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015,

Bearing also in mind its resolution 69/244 of 29 December 2014 on the organization of the United Nations summit for the adoption of the post-2015 development agenda,

Taking into account Economic and Social Council resolution 2014/22 of 16 July 2014 on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and the post-2015 development agenda, and the report of the Executive Director on the contribution of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to the discussions on the post-2015 development agenda,[1] submitted to the Thirteenth Congress pursuant to that resolution,

Aware of the presidential summary of the High-level Thematic Debate of the General Assembly on Integrating Crime Prevention and Criminal Justice in the Post-2015 Development Agenda, held in New York on 25 February 2015,[2]

Aware also of the report of the Secretary-General entitled "Follow-up to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World",[3]

Encouraged by the success of the Thirteenth Congress as one of the largest and most diverse forums for the exchange of views on and experiences in research, law, and policy and programme development between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Having considered the report of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice[4] and the related recommendations made by the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session,

1. *Expresses its satisfaction* with the results achieved by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, including the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to

[1] A/CONF.222/5.
[2] A/CONF.222/15.
[3] A/CONF.222/3.
[4] A/CONF.222/17.

Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[5] adopted at the high-level segment of the Thirteenth Congress;

2. *Takes note with appreciation* of the report of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;[4]

3. *Expresses its appreciation* to the United Nations Office on Drugs and Crime for the work done in the preparations for and follow-up to the Thirteenth Congress, and extends its thanks to the institutes of the United Nations crime prevention and criminal justice programme network for their contribution to the Thirteenth Congress, in particular with regard to the workshops held within the framework of the Congress;

4. *Endorses* the Doha Declaration adopted by the Thirteenth Congress, as approved by the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session and annexed to the present resolution;

5. *Welcomes with appreciation* the initiative of the Government of Qatar, in cooperation with the Qatar Foundation, to organize a youth forum for the first time prior to the Congress, appreciates the results of the Doha Youth Forum on Crime Prevention and Criminal Justice, which were submitted to the Thirteenth Congress, as contained in the Doha Youth Forum Statement,[6] encourages Member States to give due consideration to the recommendations therein, and invites the host countries of future congresses to consider the holding of similar events;

6. *Invites* Governments to take into consideration the Doha Declaration adopted by the Thirteenth Congress when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

7. *Invites* Member States to identify areas covered in the Doha Declaration where further tools and training manuals based on international standards and best practices are needed and to submit that information to the Commission on Crime Prevention and Criminal Justice so that it may take that information into account when considering potential areas of future activity of the United Nations Office on Drugs and Crime;

8. *Welcomes* the intention of the Government of Qatar to work with the United Nations Office on Drugs and Crime in ensuring appropriate follow-up to the outcome of the Thirteenth Congress, particularly the implementation of the Doha Declaration;

9. *Also welcomes* the initiative of the Government of Qatar to establish a regional fund for the education and training of displaced and refugee children and youth in the Middle East, with the aim of integrating social and cultural dimensions in crime prevention strategies and policies;

10. *Requests* the United Nations Office on Drugs and Crime, in the development and implementation of its technical cooperation programmes, to aim

[5] Ibid., chap. I, resolution 1.
[6] A/CONF.222/16.

for sustainable and long-lasting results when assisting Member States in rebuilding, modernizing and strengthening criminal justice systems, as well as promoting the rule of law, and to design such programmes to achieve those aims for all components of the criminal justice system, in an integrated way and with a long-term perspective;

11. *Also requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to facilitate the ratification and implementation of the United Nations Convention against Corruption,[7] the United Nations Convention against Transnational Organized Crime and the Protocols thereto[8] and the international counter-terrorism instruments;

12. *Calls* for greater coherence and coordination between the United Nations Office on Drugs and Crime and relevant United Nations agencies, with a view to achieving a fully coordinated approach to integrating crime prevention and criminal justice into the broader United Nations agenda, and invites other international organizations, the private sector and non-governmental organizations to cooperate with the Office in the implementation of its mandate;

13. *Requests* the Commission on Crime Prevention and Criminal Justice to review the implementation of the Doha Declaration under the standing item on its agenda entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice";

14. *Requests* the Secretary-General to distribute the report of the Thirteenth Congress, including the Doha Declaration, to Member States, intergovernmental organizations and non-governmental organizations, so as to ensure that those are disseminated as widely as possible, and to seek proposals by Member States on ways and means of ensuring appropriate follow-up to the Doha Declaration, for consideration and action by the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session;

15. *Welcomes with appreciation* the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2020;

16. *Expresses its profound gratitude* to the people and Government of Qatar for the warm and generous hospitality extended to the participants in the Thirteenth Congress and for the excellent facilities provided for the Congress;

17. *Requests* the Secretary-General to submit to it, at its seventy-first session, a report on the implementation of the present resolution.

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[7] United Nations, *Treaty Series*, vol. 2349, No. 42146.

[8] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

Annex

Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation

We, Heads of State and Government, Ministers and Representatives of Member States,

Having assembled at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in Doha, from 12 to 19 April 2015, to reaffirm our shared commitment to uphold the rule of law and to prevent and counter crime in all its forms and manifestations, at the domestic and international levels, to ensure that our criminal justice systems are effective, fair, humane and accountable, to provide access to justice for all, to build effective, accountable, impartial and inclusive institutions at all levels, and to uphold the principle of human dignity and the universal observance and respect of all human rights and fundamental freedoms,

To that end, declare the following:

1. We acknowledge the 60-year legacy and continuing significant role of the United Nations congresses on crime prevention and criminal justice as one of the largest and most diverse international forums for the exchange of views and experiences in research, law and policy and programme development between States, intergovernmental organizations and individual experts representing various professions and disciplines in order to identify emerging trends and issues in the field of crime prevention and criminal justice. We recognize the unique and important contributions of the congresses to law and policy development, as well as to the identification of emerging trends and issues in crime prevention and criminal justice.

2. We reaffirm the cross-cutting nature of crime prevention and criminal justice issues and the consequent need to integrate those issues into the wider agenda of the United Nations in order to enhance system-wide coordination. We look forward to the future contributions of the Commission on Crime Prevention and Criminal Justice with regard to designing and implementing national and international crime prevention and criminal justice policies and programmes, taking into account and building upon the recommendations of the congresses.

3. We recognize the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law. We commit ourselves to holistic and comprehensive approaches to countering crime, violence, corruption and terrorism in all their forms and manifestations, and to ensuring that those responses are implemented in a coordinated and coherent way, along with broader programmes or measures for social and economic development, poverty eradication, respect for cultural diversity, social peace and social inclusion.

4. We acknowledge that sustainable development and the rule of law are strongly interrelated and mutually reinforcing. We therefore welcome the inclusive and transparent intergovernmental process for the post-2015 development agenda, which is aimed at developing global sustainable development goals to be agreed by the General Assembly, and acknowledge the proposals of the Open Working Group

of the General Assembly on Sustainable Development Goals as the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered. In this context, we reiterate the importance of promoting peaceful, corruption-free and inclusive societies for sustainable development, with a focus on a people-centred approach that provides access to justice for all and builds effective, accountable and inclusive institutions at all levels.

5. We reaffirm our commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, and encourage the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, while respecting fully the principles of sovereignty and territorial integrity of States and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind. To that end, we endeavour:

(a) To adopt comprehensive and inclusive national crime prevention and criminal justice policies and programmes that fully take into account evidence and other relevant factors, including the root causes of crime, as well as the conditions conducive to its occurrence, and, in accordance with our obligations under international law and taking into consideration relevant United Nations standards and norms in crime prevention and criminal justice, to ensure appropriate training of officials entrusted with upholding the rule of law and the protection of human rights and fundamental freedoms;

(b) To ensure the right of everyone to a fair trial without undue delay by a competent, independent and impartial tribunal established by law, to equal access to justice with due process safeguards and, if needed, to access to an attorney and to an interpreter, and to ensure relevant rights under the Vienna Convention on Consular Relations;[9] to exercise due diligence to prevent and counter acts of violence; and to take effective legislative, administrative and judicial measures to prevent, prosecute and punish all forms of torture and other cruel, inhuman or degrading treatment or punishment and eliminate impunity;

(c) To review and reform legal aid policies for expansion of access to effective legal aid in criminal proceedings for those without sufficient means or when the interests of justice so require, including, when necessary, through the development of national plans in this field, and to build capacities to provide and ensure access to effective legal aid in all matters and in all its forms, taking into account the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;[10]

(d) To make every effort to prevent and counter corruption, and to implement measures aimed at enhancing transparency in public administration and

[9] United Nations, *Treaty Series*, vol. 596, No. 8638.
[10] General Assembly resolution 67/187, annex.

promoting the integrity and accountability of our criminal justice systems, in accordance with the United Nations Convention against Corruption;[11]

(e) To integrate child- and youth-related issues into our criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, including the Convention on the Rights of the Child[12] and its two Optional Protocols,[13] and taking into consideration the relevant provisions of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[14] as well as to develop and apply comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, so as to protect children who are in contact with the criminal justice system, as well as children who are in any other situation requiring legal proceedings, particularly in relation to their treatment and social reintegration. We look forward to the results of the global study on children deprived of their liberty in this regard;

(f) To mainstream a gender perspective into our criminal justice systems by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls, in accordance with the obligations of parties under the Convention on the Elimination of all Forms of Discrimination against Women[15] and its Optional Protocol,[16] and taking into account the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice[17] and General Assembly resolutions on the gender-related killing of women and girls;

(g) To promote gender-specific measures as an integral part of our policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);[18]

(h) To develop and implement appropriate and effective national strategies and plans for the advancement of women in criminal justice systems and institutions at the leadership, managerial and other levels;

(i) To enhance equality for all persons before the law, including gender equality, for individuals belonging to minority groups and for indigenous people, through, inter alia, a comprehensive approach with other sectors of government, relevant members of civil society and the media, and the promotion of the recruitment by criminal justice institutions of individuals belonging to these groups;

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[11] United Nations, *Treaty Series*, vol. 2349, No. 42146.
[12] Ibid., vol. 1577, No. 27531.
[13] Ibid., vols. 2171 and 2173, No. 27531.
[14] General Assembly resolution 69/194, annex.
[15] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[16] Ibid., vol. 2131, No. 20378.
[17] General Assembly resolution 65/228, annex.
[18] General Assembly resolution 65/229, annex.

(j) To implement and enhance policies for prison inmates that focus on education, work, medical care, rehabilitation, social reintegration and the prevention of recidivism, and to consider the development and strengthening of policies to support the families of inmates, as well as to promote and encourage the use of alternatives to imprisonment, where appropriate, and to review or reform our restorative justice and other processes in support of successful reintegration;

(k) To intensify our efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible;

(l) To adopt effective measures for the recognition, protection and provision of support for and assistance to victims and witnesses in the framework of criminal justice responses to all crimes, including corruption and terrorism, in accordance with relevant international instruments and taking into consideration the United Nations standards and norms in crime prevention and criminal justice;

(m) To implement a victim-oriented approach to prevent and counter all forms of trafficking in persons for the purpose of exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, where appropriate, in accordance with the relevant provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[19] and taking into account the United Nations Global Plan of Action to Combat Trafficking in Persons,[20] and to work, as necessary, with regional, international and civil society organizations to overcome the obstacles that may impede the delivery of social and legal assistance to victims of trafficking;

(n) To implement effective measures to protect the human rights of smuggled migrants, particularly women and children, and unaccompanied migrant children, in accordance with the obligations of parties under the United Nations Convention against Transnational Organized Crime[21] and its Protocol against the Smuggling of Migrants by Land, Sea and Air,[22] which include the obligation that migrants shall not become liable to criminal prosecution under the Protocol only for the fact of having been the object of smuggling, and other relevant international instruments, and to make every possible effort to prevent the further loss of lives and bring the perpetrators to justice;

(o) To implement effective measures to eliminate violence against all migrants, migrant workers and their families, and to take all necessary legal and administrative steps to prevent and counter crimes involving violence against those groups;

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[19] United Nations, *Treaty Series*, vol. 2237, No. 39574.
[20] General Assembly resolution 64/293.
[21] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[22] Ibid., vol. 2241, No. 39574.

(p) To conduct further research and gather data on crime victimization motivated by discrimination of any kind and to exchange experiences in and information on effective laws and policies that can prevent such crimes, bring perpetrators to justice and provide support to victims;

(q) To consider providing specialized training to criminal justice professionals to enhance capacities for recognizing, understanding, suppressing and investigating hate crimes motivated by discrimination of any kind, to help engage effectively with victim communities and to build public confidence and cooperation with criminal justice agencies;

(r) To intensify our national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes, and considering, where appropriate, drafting and enforcing legislation against discrimination;

(s) To prevent and counter, through appropriate domestic procedures for the timely identification and processing of cases, acts of violence falling within our jurisdiction against journalists and media professionals, whose professional duties often put them at specific risk of intimidation, harassment and violence, in particular from organized criminal groups and terrorists, and in conflict and post-conflict situations, and to ensure accountability through the conduct of impartial, speedy and effective investigations, in accordance with national legislation and applicable international law;

(t) To strengthen the development and use of tools and methods aimed at increasing the availability and quality of statistical information and analytical studies on crime and criminal justice at the international level, in order to better measure and evaluate the impact of responses to crime and to enhance the effectiveness of crime prevention and criminal justice programmes at the national, regional and international levels.

6. We welcome the work of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners and take note of the draft updated Standard Minimum Rules for the Treatment of Prisoners, as finalized by the Expert Group at its meeting held in Cape Town, South Africa, from 2 to 5 March 2015, and look forward to the consideration of this revised draft, and action thereon, by the Commission on Crime Prevention and Criminal Justice.

7. We emphasize that education for all children and youth, including the eradication of illiteracy, is fundamental to the prevention of crime and corruption and to the promotion of a culture of lawfulness that supports the rule of law and human rights while respecting cultural identities. In this regard, we also stress the fundamental role of youth participation in crime prevention efforts. Therefore, we will endeavour:

(a) To create a safe, positive and secure learning environment in schools, supported by the community, including by protecting children from all forms of violence, harassment, bullying, sexual abuse and drug abuse, in accordance with domestic laws;

(b) To integrate crime prevention, criminal justice and other rule-of-law aspects into our domestic educational systems;

(c) To integrate crime prevention and criminal justice strategies into all relevant social and economic policies and programmes, in particular those affecting youth, with a special emphasis on programmes focused on increasing educational and employment opportunities for youth and young adults;

(d) To provide access to education for all, including technical and professional skills, as well as to promote lifelong learning skills for all.

8. We endeavour to strengthen international cooperation as a cornerstone of our efforts to enhance crime prevention and ensure that our criminal justice systems are effective, fair, humane and accountable, and ultimately to prevent and counter all crimes. We encourage States parties to implement and make more effective use of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the three international drug control conventions and the international conventions and protocols related to countering terrorism, and urge all Member States that have not yet done so to consider ratifying or acceding to those instruments. We underscore that any measures taken to counter terrorism must comply with all our obligations under international law. We endeavour to enhance further international cooperation to stop the systematic exploitation of large numbers of individuals who are forced and coerced into a life of abuse and degradation. We therefore strive:

(a) To promote and strengthen international and regional cooperation to further develop the capacity of national criminal justice systems, including through efforts to modernize and strengthen national legislation, as appropriate, as well as joint training and upgrading of the skills of our criminal justice officials, in particular to foster the development of strong and effective central authorities for international cooperation in criminal matters, inter alia in the areas of extradition, mutual legal assistance, transfer of criminal proceedings and transfer of sentenced persons, and to conclude, where appropriate, bilateral and regional cooperation agreements, and to continue the development of specialized networks of law enforcement authorities, central authorities, prosecutors, judges, defence lawyers and legal aid providers to exchange information and share good practices and expertise, including, where appropriate, by promoting a global virtual network to advance, where possible, direct contact among competent authorities to enhance information-sharing and mutual legal assistance, making the best possible use of information and communication platforms;

(b) To continue to support the implementation of capacity-building programmes and training for criminal justice officials aimed at preventing and countering terrorism in all its forms and manifestations, in line with human rights and fundamental freedoms, including with regard to international cooperation in criminal matters, the financing of terrorism, the use of the Internet for terrorist purposes, the destruction of cultural heritage by terrorists and kidnapping for ransom or for the purpose of extortion, and at addressing the conditions conducive to the spread of terrorism, and to cooperate, as well as address, further analyse and identify appropriate areas for joint action, through, inter alia, effective exchange of information and sharing of experiences and best practices, to counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes;

(c) To adopt effective measures at the national and international levels aimed at preventing terrorist groups from benefiting from ransom payments;

(d) To strengthen cooperation at the international, regional, subregional and bilateral levels, to counter the threat posed by foreign terrorist fighters, including through enhanced operational and timely information-sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to counter violent extremism and radicalization to violence, which can be conducive to terrorism, to enhance our efforts to implement deradicalization programmes, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law;

(e) To implement effective measures to detect, prevent and counter corruption, as well as the transfer abroad and laundering of assets derived from corruption, and to strengthen international cooperation and assistance to Member States to assist in the identification, freezing or seizure of such assets, as well as in their recovery and return, in accordance with the United Nations Convention against Corruption, in particular its chapter V, and in this regard to continue discussing innovative modalities to improve mutual legal assistance in order to speed up asset recovery proceedings and render them more successful, while also drawing on the experience and knowledge built through the implementation of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank;

(f) To develop strategies to prevent and combat all illicit financial flows and emphasize the urgent need to adopt more effective measures to fight against economic and financial crimes, including fraud, as well as tax and corporate crimes, especially in their relevant transnational dimensions;

(g) To strengthen or, as appropriate, adopt procedures to more effectively prevent and counter money-laundering and enhance measures for the identification, tracing, freezing, seizure and recovery of the proceeds of crime, including money and other assets that have not been accounted for and that are found in safe havens, for the purpose of their eventual confiscation, including, where appropriate and in accordance with domestic law, non-conviction-based confiscation, and for the transparent disposition of confiscated proceeds;

(h) To develop and implement adequate mechanisms to manage and preserve the value and condition of frozen, seized or confiscated assets that are the proceeds of crime, as well as to strengthen international cooperation in criminal matters and to explore ways of affording one another similar cooperation in civil and administrative proceedings for confiscation purposes;

(i) To take appropriate measures to prevent and counter trafficking in persons and the smuggling of migrants, while protecting the victims and those who have been the object of such crimes, through all necessary legal and administrative steps, in accordance with the respective protocols, as appropriate, and strengthening

inter-agency cooperation and coordination at the national level, as well as closer bilateral, regional and multilateral cooperation;

(j) To consider, when investigating and prosecuting offences related to trafficking in persons and the smuggling of migrants, the concurrent undertaking of financial investigations, with a view to tracing, freezing and confiscating proceeds acquired through those crimes, and the establishment of such crimes as predicate offences for money-laundering, as well as to enhance coordination and information-sharing among relevant agencies;

(k) To develop and adopt, as appropriate, effective measures to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition, as well as explosives, including through awareness-raising campaigns designed to eliminate the illicit use of firearms and the illicit manufacture of explosives, to encourage States parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[23] to strengthen implementation of the Protocol by, inter alia, considering the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition, in order to enhance criminal investigations of illicit trafficking in firearms, to support the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[24] and to note the contributions of existing instruments on this issue and on related matters at the regional and international levels;

(l) To intensify our efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in illicit drug production and trafficking and related criminal activities, and to take steps to reduce the violence that accompanies drug trafficking;

(m) To continue to explore all options regarding an appropriate and effective mechanism or mechanisms to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto in an effective and efficient manner;

(n) To invite Member States to draw on the United Nations model treaties on international cooperation in criminal matters when considering developing agreements with other States, bearing in mind their value as important tools for the development of international cooperation, and to invite the Commission on Crime Prevention and Criminal Justice to continue its initiative to identify United Nations model treaties that may need to be updated, based on inputs received from Member States.

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[23] Ibid., vol. 2326, No. 39574.

[24] *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

9. We endeavour to ensure that the benefits of economic, social and technological advancements become a positive force to enhance our efforts in preventing and countering new and emerging forms of crime. We recognize our responsibility to adequately respond to emerging and evolving threats posed by such crimes. Therefore, we strive:

(a) To develop and implement comprehensive crime prevention and criminal justice responses, including strengthening of the capacities of our judiciary and law enforcement institutions, and to adopt, when necessary, legislative and administrative measures to effectively prevent and counter new, emerging and evolving forms of crime at the national, regional and international levels, taking into account the scope of application of the United Nations Convention against Transnational Organized Crime with regard to "serious crimes", in accordance with national legislation;

(b) To explore specific measures designed to create a secure and resilient cyberenvironment, to prevent and counter criminal activities carried out over the Internet, paying particular attention to identity theft, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography, in particular child sexual abuse imagery, from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms. In addition, we note the activities of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, and invite the Commission on Crime Prevention and Criminal Justice to consider recommending that the expert group continue, based on its work, to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime;

(c) To strengthen and implement comprehensive crime prevention and criminal justice responses to illicit trafficking in cultural property, for the purpose of providing the widest possible international cooperation to address such crime, to review and strengthen domestic legislation to counter trafficking in cultural property, where appropriate, in accordance with our commitments under international instruments, including, as appropriate, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property[25] of 1970, and taking into consideration the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences,[26] to continue to gather and share information and statistical data on trafficking in cultural property, in particular on trafficking that involves organized criminal groups and terrorist

[25] United Nations, *Treaty Series*, vol. 823, No. 11806.
[26] General Assembly resolution 69/196, annex.

organizations, and to further consider the potential utility of and improvements to the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[27] and international standards and norms in this field, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization and other competent international organizations, with a view to ensuring coordination of efforts in fulfilment of their respective mandates;

(d) To conduct further research on the links between urban crime and other manifestations of organized crime in some countries and regions, including crimes committed by gangs, as well as to exchange experiences in and information on effective crime prevention and criminal justice programmes and policies among Member States and with relevant international and regional organizations, in order to address through innovative approaches the impact of urban crime and gang-related violence on specific populations and places, fostering social inclusion and employment opportunities and aiming at facilitating social reintegration of adolescents and young adults;

(e) To adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife, including flora and fauna as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[28] timber and timber products and hazardous waste, as well as poaching, by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes;

(f) To ensure that our law enforcement and criminal justice institutions have the expertise and technical capacities to adequately address these new and emerging forms of crime, in close cooperation and coordination with one another, and to provide those institutions with the necessary financial and structural support;

(g) To continue the analysis and exchange of information and practices relating to other evolving forms of transnational organized crime with varying impacts at the regional and global levels, with a view to more effectively preventing and countering crime and strengthening the rule of law. These may include, as appropriate, smuggling of petroleum and its derivatives, trafficking in precious metals and stones, illegal mining, counterfeiting of trademarked goods, trafficking in human organs, blood and tissue, and piracy and transnational organized crime committed at sea.[29]

10. We support the development and implementation of consultative and participatory processes in crime prevention and criminal justice in order to engage all members of society, including those at risk of crime and victimization, to make our prevention efforts more effective and to galvanize public trust and confidence in criminal justice systems. We recognize our leading role and responsibility at all levels in developing and implementing crime prevention strategies and criminal

[27] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1, annex.

[28] United Nations, *Treaty Series*, vol. 993, No. 14537.

[29] As defined by the Commission on Crime Prevention and Criminal Justice in its resolution 22/6.

justice policies at the national and subnational levels. We also recognize that, to enhance the effectiveness and fairness of such strategies, we should take measures to ensure the contribution of civil society, the private sector and academia, including the network of institutes of the United Nations crime prevention and criminal justice programme, as well as the media and all other relevant stakeholders, in the development and implementation of crime prevention policies. Therefore, we endeavour:

(a) To plan and implement comprehensive policies and programmes that foster socioeconomic development, with a focus on the prevention of crime, including urban crime, and violence, and to support other Member States in such endeavours, in particular through the exchange of experience and relevant information on policies and programmes that have been successful in reducing crime and violence through social policies;

(b) To develop awareness-raising programmes to convey key values based on the rule of law and supported by educational programmes, to be accompanied by economic and social policies promoting equality, solidarity and justice, and to reach out to young people, drawing on them as agents of positive change;

(c) To promote a culture of lawfulness based on the protection of human rights and the rule of law while respecting cultural identity, with particular emphasis on children and youth, seeking the support of civil society and intensifying our prevention efforts and measures targeting and using the full potential of families, schools, religious and cultural institutions, community organizations and the private sector in order to address the social and economic root causes of crime;

(d) To promote the management and resolution of social conflict through dialogue and mechanisms of community participation, including by raising public awareness, preventing victimization, increasing cooperation between the public, competent authorities and civil society, and promoting restorative justice;

(e) To raise public confidence in criminal justice by preventing corruption and promoting respect for human rights, as well as enhancing professional competence and oversight in all sectors of the criminal justice system, thus ensuring that it is accessible and responsive to the needs and rights of all individuals;

(f) To explore the potential for the use of traditional and new information and communication technologies in the development of policies and programmes to strengthen crime prevention and criminal justice, including for identifying public safety issues, and fostering public participation;

(g) To promote the improvement of e-government systems in the area of crime prevention and criminal justice, with a view to enhancing public participation, and to promote the use of new technologies to facilitate cooperation and partnerships between the police and the communities they serve, as well as to share good practices and exchange information on community policing;

(h) To strengthen public-private partnerships in preventing and countering crime in all its forms and manifestations;

(i) To ensure that the content of the law is accessible to the public, and to promote, as appropriate, the transparency of criminal trials;

(j) To establish or build upon existing practices and measures to encourage the public, especially victims, to report and follow up on incidents of crime and corruption, and to develop and implement measures for the protection of whistle-blowers and witnesses;

(k) To consider partnering and supporting community initiatives and fostering the active participation of citizens in ensuring access to justice for all, including awareness of their rights, as well as their involvement in the prevention of crime and the treatment of offenders, including by creating opportunities for community service and supporting the social reintegration and rehabilitation of offenders, and in that regard to encourage the sharing of best practices and the exchange of information on relevant social reintegration policies and programmes and on relevant public-private partnerships;

(l) To encourage the active participation of the private sector in crime prevention, as well as in social inclusion programmes and employability schemes for vulnerable members of society, including victims and those released from prison;

(m) To build and maintain capacities for the study of criminology, as well as forensic and correctional sciences, and to draw on contemporary scientific expertise in the design and implementation of relevant policies, programmes and projects.

11. As we continue our efforts to achieve the objectives set forth in this Declaration, to enhance international cooperation, to uphold the rule of law and to ensure that our crime prevention and criminal justice systems are effective, fair, humane and accountable, we reaffirm the importance of adequate, long-term, sustainable and effective technical assistance and capacity-building policies and programmes. We therefore strive:

(a) To continue to provide sufficient, stable and predictable funding in support of the design and implementation of effective programmes to prevent and counter crime in all its forms and manifestations, upon the request of Member States and based on an assessment of their specific needs and priorities, in close collaboration with the United Nations Office on Drugs and Crime;

(b) To invite the United Nations Office on Drugs and Crime, the network of institutes of the United Nations crime prevention and criminal justice programme, and all relevant United Nations entities and international and regional organizations, in fulfilment of their mandates, to continue to coordinate and cooperate with Member States to provide effective responses to the challenges faced at the national, regional and global levels, as well as to strengthen the effectiveness of public participation in crime prevention and criminal justice, including through the preparation of studies and the development and implementation of programmes.

12. We reaffirm that the United Nations Office on Drugs and Crime remains an essential partner for the achievement of our aspirations in the field of crime prevention and criminal justice and for the implementation of the provisions of this Declaration.

13. We welcome with appreciation the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in 2020.

14. We express our profound gratitude to the people and Government of Qatar for their warm and generous hospitality and for the excellent facilities provided for the Thirteenth Congress.

Draft resolution II

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)

The General Assembly,

Guided by the principal purposes of the United Nations, as set out in the Preamble to the Charter of the United Nations and the Universal Declaration of Human Rights,[30] and inspired by the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, without distinction of any kind, and in the equal rights of men and women and of nations large and small, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of life in larger freedom,

Recalling all standards and norms in crime prevention and criminal justice developed at the request of the Commission on Crime Prevention and Criminal Justice and adopted or recommended by the General Assembly, or adopted by a United Nations congress on the prevention of crime and the treatment of offenders, and recognizing that the Universal Declaration of Human Rights is a source of inspiration for the United Nations standards and norms in crime prevention and criminal justice,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights, and emphasizing the fundamental importance of human rights in the daily administration of criminal justice and crime prevention,

Aware that the Standard Minimum Rules for the Treatment of Prisoners[31] have been the universally acknowledged minimum standards for the detention of prisoners and that they have been of significant value and influence, as a guide, in the development of correctional laws, policies and practices since their adoption by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 1955,

Mindful that, in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[32] Member States recognized that an effective, fair, accountable and humane criminal justice system was based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime, and acknowledged the value and impact of the United Nations standards and norms in crime prevention and criminal justice in

[30] General Assembly resolution 217 A (III).

[31] *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[32] General Assembly resolution 65/230, annex.

designing and implementing national crime prevention and criminal justice policies, procedures and programmes,

Taking into account the progressive development of international law pertaining to the treatment of prisoners since 1955, including in international instruments such as the International Covenant on Civil and Political Rights,[33] the International Covenant on Economic, Social and Cultural Rights[33] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[34] and the Optional Protocol thereto,[35]

Recalling the United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners and to alternatives to imprisonment adopted since 1955, in particular the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,[36] the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[37] the Basic Principles for the Treatment of Prisoners,[38] the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[39] and the basic principles on the use of restorative justice programmes in criminal matters,[40]

Bearing in mind the need for vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, as called for in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),[41] the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),[42] the United Nations Rules for the Protection of Juveniles Deprived of their Liberty[43] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[44]

Recalling the United Nations standards and norms in crime prevention and criminal justice adopted since 1955 that provide additional guidance on the treatment of prisoners, including the Code of Conduct for Law Enforcement Officials,[45] the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,[46] the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[47] the

[33] See resolution 2200 A (XXI), annex.
[34] United Nations, *Treaty Series*, vol. 1465, No. 24841.
[35] Ibid., vol. 2375, No. 24841.
[36] Economic and Social Council resolution 1984/47, annex.
[37] General Assembly resolution 43/173, annex.
[38] General Assembly resolution 45/111, annex.
[39] General Assembly resolution 45/110, annex.
[40] Economic and Social Council resolution 2002/12, annex.
[41] General Assembly resolution 40/33, annex.
[42] General Assembly resolution 45/112, annex.
[43] General Assembly resolution 45/113, annex.
[44] General Assembly resolution 65/229, annex.
[45] General Assembly resolution 34/169, annex.
[46] General Assembly resolution 37/194, annex.
[47] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.

Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[48] and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[49]

Aware of regional principles and standards related to the treatment of prisoners, including the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, the revised European Prison Rules, the Kampala Declaration on Prison Conditions in Africa,[50] the Arusha Declaration on Good Prison Practice[51] and the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,

Recalling its resolution 65/230 of 21 December 2010, entitled "Twelfth United Nations Congress on Crime Prevention and Criminal Justice", in which it requested the Commission on Crime Prevention and Criminal Justice to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices,

Recalling also its resolutions 67/188 of 20 December 2012, 68/190 of 18 December 2013 and 69/192 of 18 December 2014, entitled "Standard Minimum Rules for the Treatment of Prisoners", in particular resolution 68/190, in which it took note with appreciation of the work done by the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, and resolution 69/192, in which it emphasized that efforts should be made to finalize the revision process, building on the recommendations made at the three meetings of the Expert Group and the submissions of Member States,

Mindful that, in its resolution 68/190, it took into consideration the recommendations of the Expert Group with regard to the issues and the rules of the Standard Minimum Rules for the Treatment of Prisoners that had been identified for revision in the following areas:

(a) Respect for prisoners' inherent dignity and value as human beings (rules 6, para. 1; 57-59; and 60, para. 1),

(b) Medical and health services (rules 22-26; 52; 62; and 71, para. 2),

(c) Disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet (rules 27, 29, 31 and 32),

(d) Investigation of all deaths in custody, as well as of any signs or allegations of torture or inhuman or degrading treatment or punishment of prisoners (rule 7 and proposed rules 44 bis and 54 bis),

(e) Protection and special needs of vulnerable groups deprived of their liberty, taking into consideration countries in difficult circumstances (rules 6 and 7),

[48] General Assembly resolution 55/89, annex.
[49] General Assembly resolution 67/187, annex.
[50] Economic and Social Council resolution 1997/36, annex.
[51] Economic and Social Council resolution 1999/27, annex.

(f) The right of access to legal representation (rules 30; 35, para. 1; 37; and 93),

(g) Complaints and independent inspection (rules 36 and 55),

(h) The replacement of outdated terminology (rules 22-26, 62, 82 and 83 and various others),

(i) Training of relevant staff to implement the Standard Minimum Rules (rule 47),

Mindful also that, in its resolution 69/192, it reiterated that any changes to the Standard Minimum Rules for the Treatment of Prisoners should not lower any of the existing standards, but should reflect recent advances in correctional science and good practices so as to promote safety, security and humane conditions for prisoners,

Mindful further of the extensive consultative process culminating in the recommendations of the Expert Group, a process spanning a period of five years, consisting of technical and expert pre-consultations, meetings in Vienna, Buenos Aires and Cape Town, South Africa, and the active participation and input of Member States from all regions, assisted by representatives of the United Nations crime prevention and criminal justice programme network and other United Nations entities, including the Office of the United Nations High Commissioner for Human Rights, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Office on Drugs and Crime, intergovernmental organizations, including the International Committee of the Red Cross, specialized agencies in the United Nations system, including the World Health Organization, and non-governmental organizations and individual experts in the field of correctional science and human rights,

Recalling its resolution 69/172 of 18 December 2014, entitled "Human rights in the administration of justice", in which it recognized the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, and recalled that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society, and took note of, inter alia, general comment No. 21 on the humane treatment of persons deprived of their liberty, adopted by the Human Rights Committee,[52]

1. *Expresses its gratitude and appreciation* to the Government of South Africa for hosting the meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners held in Cape Town, South Africa, from 2 to 5 March 2015 and for providing financial support and leadership throughout the review process, and notes with appreciation the consensus achieved on the nine thematic

[52] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40* (A/47/40), annex VI.B.

areas and the rules identified by the Expert Group at its previous meetings for revision;[53]

2. *Expresses its appreciation* to the Government of Argentina for hosting and financing the meeting of the Expert Group held in Buenos Aires from 11 to 13 December 2012 and to the Government of Brazil for its financial contribution to the meeting of the Expert Group held in Vienna from 25 to 28 March 2014;

3. *Acknowledges* the valuable work accomplished by the bureau of the meeting of the Expert Group held in Vienna in 2014 in preparing, with the assistance of the Secretariat, the documentation for the meeting of the Expert Group held in Cape Town, South Africa, in 2015, in particular the revised consolidated working paper;[54]

4. *Notes* that in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[55] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, the Thirteenth Congress welcomed the work of the Expert Group, and took note of the draft updated Standard Minimum Rules for the Treatment of Prisoners, as finalized by the Expert Group at its meeting held in Cape Town, South Africa, in March 2015;

5. *Adopts* the proposed revision of the Standard Minimum Rules for the Treatment of Prisoners, annexed to the present resolution, as the United Nations Standard Minimum Rules for the Treatment of Prisoners;

6. *Approves* the recommendation of the Expert Group that the Rules should be known as "the Mandela Rules", to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace;

7. *Decides* to extend the scope of Nelson Mandela International Day, observed each year on 18 July,[56] to be also known as Mandela Prisoner Rights Day, in order to promote humane conditions of imprisonment, to raise awareness about prisoners being a continuous part of society and to value the work of prison staff as a social service of particular importance, and, to this end, invites Member States, regional organizations and organizations in the United Nations system to celebrate this occasion in an appropriate manner;

8. *Reaffirms*, in the context of paragraph 5 above, the preliminary observations to the Mandela Rules, underscores the non-binding nature of the Mandela Rules, acknowledges the variety of Member States' legal frameworks and in that regard recognizes that Member States may adapt the application of the Mandela Rules in accordance with their domestic legal frameworks, as appropriate, bearing in mind the spirit and purposes of the Rules;

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[53] See E/CN.15/2015/17.
[54] UNODC/CCPCJ/EG.6/2015/2.
[55] A/CONF.222/17, chap. I, resolution 1.
[56] General Assembly resolution 64/13.

9. *Encourages* Member States to endeavour to improve conditions in detention, consistent with the Mandela Rules and all other relevant and applicable United Nations standards and norms in crime prevention and criminal justice, to continue exchanging good practices in order to identify challenges faced in implementing the Rules and to share their experiences in dealing with those challenges;

10. *Invites* the Commission on Crime Prevention and Criminal Justice to consider, at its upcoming sessions, reconvening the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners for the purpose of identifying the lessons learned, the means to continue to exchange good practices and the challenges faced in the implementation of the Rules;

11. *Encourages* Member States to promote the implementation of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty[43] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);[44]

12. *Recommends* that Member States continue to endeavour to reduce prison overcrowding and, where appropriate, resort to non-custodial measures as alternatives to pretrial detention, to promote increased access to justice and legal defence mechanisms, to reinforce alternatives to imprisonment and to support rehabilitation and social reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);[39]

13. *Notes* the importance of a voluntary exchange of experiences and good practices among Member States and with relevant international entities, where appropriate, and the provision of technical assistance to Member States, for the improved implementation of the Mandela Rules, upon their request;

14. *Encourages* Member States to consider allocating adequate human and financial resources to assist in the improvement of prison conditions and to the application of the Mandela Rules;

15. *Requests* the United Nations Office on Drugs and Crime to ensure broad dissemination of the Mandela Rules, to design guidance material and to provide technical assistance and advisory services to Member States in the field of penal reform, in order to develop or strengthen penitentiary legislation, procedures, policies and practices in line with the Rules;

16. *Commends* the Commission on Crime Prevention and Criminal Justice for its continuing contributions to the improvement of the administration of justice through the development and refinement of international standards and norms in the field of crime prevention and criminal justice, and calls upon Member States to continue their efforts in this regard;

17. *Requests* the United Nations Office on Drugs and Crime to continue to promote the use and application of the United Nations standards and norms in crime prevention and criminal justice by, inter alia, providing advisory services and technical assistance to Member States, on request, including assistance in crime prevention, criminal justice and law reform, and in the organization of training for law enforcement, crime prevention and criminal justice personnel and support in the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

18. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

19. *Affirms* the important role of the United Nations crime prevention and criminal justice programme network, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council in the revision process and in contributing to the dissemination, promotion and practical application of the Mandela Rules in accordance with the procedures for their effective implementation.

Annex

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)

Preliminary observations

Preliminary observation 1

The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of the general consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principles and practice in the treatment of prisoners and prison management.

Preliminary observation 2

1. In view of the great variety of legal, social, economic and geographical conditions in the world, it is evident that not all of the rules are capable of application in all places and at all times. They should, however, serve to stimulate a constant endeavour to overcome practical difficulties in the way of their application, in the knowledge that they represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations.

2. On the other hand, the rules cover a field in which thought is constantly developing. They are not intended to preclude experiment and practices, provided these are in harmony with the principles and seek to further the purposes which derive from the text of the rules as a whole. It will always be justifiable for the central prison administration to authorize departures from the rules in this spirit.

Preliminary observation 3

1. Part I of the rules covers the general management of prisons, and is applicable to all categories of prisoners, criminal or civil, untried or convicted, including prisoners subject to "security measures" or corrective measures ordered by the judge.

2. Part II contains rules applicable only to the special categories dealt with in each section. Nevertheless, the rules under section A, applicable to prisoners under sentence, shall be equally applicable to categories of prisoners dealt with in sections B, C and D, provided they do not conflict with the rules governing those categories and are for their benefit.

Preliminary observation 4

1. The rules do not seek to regulate the management of institutions set aside for young persons such as juvenile detention facilities or correctional schools, but in general part I would be equally applicable in such institutions.

2. The category of young prisoners should include at least all young persons who come within the jurisdiction of juvenile courts. As a rule, such young persons should not be sentenced to imprisonment.

I. Rules of general application

Basic principles

Rule 1

All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

Rule 2

1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status. The religious beliefs and moral precepts of prisoners shall be respected.

2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.

Rule 3

Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

Rule 4

1. The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.

2. To this end, prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual,

social and health- and sports-based nature. All such programmes, activities and services should be delivered in line with the individual treatment needs of prisoners.

Rule 5

1. The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.

2. Prison administrations shall make all reasonable accommodation and adjustments to ensure that prisoners with physical, mental or other disabilities have full and effective access to prison life on an equitable basis.

Prisoner file management

Rule 6

There shall be a standardized prisoner file management system in every place where persons are imprisoned. Such a system may be an electronic database of records or a registration book with numbered and signed pages. Procedures shall be in place to ensure a secure audit trail and to prevent unauthorized access to or modification of any information contained in the system.

Rule 7

No person shall be received in a prison without a valid commitment order. The following information shall be entered in the prisoner file management system upon admission of every prisoner:

(a) Precise information enabling determination of his or her unique identity, respecting his or her self-perceived gender;

(b) The reasons for his or her commitment and the responsible authority, in addition to the date, time and place of arrest;

(c) The day and hour of his or her admission and release as well as of any transfer;

(d) Any visible injuries and complaints about prior ill-treatment;

(e) An inventory of his or her personal property;

(f) The names of his or her family members, including, where applicable, his or her children, the children's ages, location and custody or guardianship status;

(g) Emergency contact details and information on the prisoner's next of kin.

Rule 8

The following information shall be entered in the prisoner file management system in the course of imprisonment, where applicable:

(a) Information related to the judicial process, including dates of court hearings and legal representation;

(b) Initial assessment and classification reports;

(c) Information related to behaviour and discipline;

(d) Requests and complaints, including allegations of torture or other cruel, inhuman or degrading treatment or punishment, unless they are of a confidential nature;

(e) Information on the imposition of disciplinary sanctions;

(f) Information on the circumstances and causes of any injuries or death and, in the case of the latter, the destination of the remains.

Rule 9

All records referred to in rules 7 and 8 shall be kept confidential and made available only to those whose professional responsibilities require access to such records. Every prisoner shall be granted access to the records pertaining to him or her, subject to redactions authorized under domestic legislation, and shall be entitled to receive an official copy of such records upon his or her release.

Rule 10

Prisoner file management systems shall also be used to generate reliable data about trends relating to and characteristics of the prison population, including occupancy rates, in order to create a basis for evidence-based decision-making.

Separation of categories

Rule 11

The different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment; thus:

(a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate;

(b) Untried prisoners shall be kept separate from convicted prisoners;

(c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence;

(d) Young prisoners shall be kept separate from adults.

Accommodation

Rule 12

1. Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.

2. Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the prison.

Rule 13

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

Rule 14

In all places where prisoners are required to live or work:

(a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Rule 15

The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Rule 16

Adequate bathing and shower installations shall be provided so that every prisoner can, and may be required to, have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

Rule 17

All parts of a prison regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

Personal hygiene

Rule 18

1. Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

2. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be able to shave regularly.

Clothing and bedding

Rule 19

1. Every prisoner who is not allowed to wear his or her own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him or her in good health. Such clothing shall in no manner be degrading or humiliating.

2. All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.

3. In exceptional circumstances, whenever a prisoner is removed outside the prison for an authorized purpose, he or she shall be allowed to wear his or her own clothing or other inconspicuous clothing.

Rule 20

If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the prison to ensure that it shall be clean and fit for use.

Rule 21

Every prisoner shall, in accordance with local or national standards, be provided with a separate bed and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

Food

Rule 22

1. Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.

2. Drinking water shall be available to every prisoner whenever he or she needs it.

Exercise and sport

Rule 23

1. Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits.

2. Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end, space, installations and equipment should be provided.

Health-care services

Rule 24

1. The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.

2. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence.

Rule 25

1. Every prison shall have in place a health-care service tasked with evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation.

2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner.

Rule 26

1. The health-care service shall prepare and maintain accurate, up-to-date and confidential individual medical files on all prisoners, and all prisoners should be granted access to their files upon request. A prisoner may appoint a third party to access his or her medical file.

2. Medical files shall be transferred to the health-care service of the receiving institution upon transfer of a prisoner and shall be subject to medical confidentiality.

Rule 27

1. All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care.

2. Clinical decisions may only be taken by the responsible health-care professionals and may not be overruled or ignored by non-medical prison staff.

Rule 28

In women's prisons, there shall be special accommodation for all necessary prenatal and postnatal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the prison. If a child is born in prison, this fact shall not be mentioned in the birth certificate.

Rule 29

1. A decision to allow a child to stay with his or her parent in prison shall be based on the best interests of the child concerned. Where children are allowed to remain in prison with a parent, provision shall be made for:

(a) Internal or external childcare facilities staffed by qualified persons, where the children shall be placed when they are not in the care of their parent;

(b) Child-specific health-care services, including health screenings upon admission and ongoing monitoring of their development by specialists.

2. Children in prison with a parent shall never be treated as prisoners.

Rule 30

A physician or other qualified health-care professionals, whether or not they are required to report to the physician, shall see, talk with and examine every prisoner as soon as possible following his or her admission and thereafter as necessary. Particular attention shall be paid to:

(a) Identifying health-care needs and taking all necessary measures for treatment;

(b) Identifying any ill-treatment that arriving prisoners may have been subjected to prior to admission;

(c) Identifying any signs of psychological or other stress brought on by the fact of imprisonment, including, but not limited to, the risk of suicide or self-harm and withdrawal symptoms resulting from the use of drugs, medication or alcohol; and undertaking all appropriate individualized measures or treatment;

(d) In cases where prisoners are suspected of having contagious diseases, providing for the clinical isolation and adequate treatment of those prisoners during the infectious period;

(e) Determining the fitness of prisoners to work, to exercise and to participate in other activities, as appropriate.

Rule 31

The physician or, where applicable, other qualified health-care professionals shall have daily access to all sick prisoners, all prisoners who complain of physical or mental health issues or injury and any prisoner to whom their attention is specially directed. All medical examinations shall be undertaken in full confidentiality.

Rule 32

1. The relationship between the physician or other health-care professionals and the prisoners shall be governed by the same ethical and professional standards as those applicable to patients in the community, in particular:

(a) The duty of protecting prisoners' physical and mental health and the prevention and treatment of disease on the basis of clinical grounds only;

(b) Adherence to prisoners' autonomy with regard to their own health and informed consent in the doctor-patient relationship;

(c) The confidentiality of medical information, unless maintaining such confidentiality would result in a real and imminent threat to the patient or to others;

(d) An absolute prohibition on engaging, actively or passively, in acts that may constitute torture or other cruel, inhuman or degrading treatment or punishment, including medical or scientific experimentation that may be detrimental

to a prisoner's health, such as the removal of a prisoner's cells, body tissues or organs.

2. Without prejudice to paragraph 1 (d) of this rule, prisoners may be allowed, upon their free and informed consent and in accordance with applicable law, to participate in clinical trials and other health research accessible in the community if these are expected to produce a direct and significant benefit to their health, and to donate cells, body tissues or organs to a relative.

Rule 33

The physician shall report to the director whenever he or she considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.

Rule 34

If, in the course of examining a prisoner upon admission or providing medical care to the prisoner thereafter, health-care professionals become aware of any signs of torture or other cruel, inhuman or degrading treatment or punishment, they shall document and report such cases to the competent medical, administrative or judicial authority. Proper procedural safeguards shall be followed in order not to expose the prisoner or associated persons to foreseeable risk of harm.

Rule 35

1. The physician or competent public health body shall regularly inspect and advise the director on:

(a) The quantity, quality, preparation and service of food;

(b) The hygiene and cleanliness of the institution and the prisoners;

(c) The sanitation, temperature, lighting and ventilation of the prison;

(d) The suitability and cleanliness of the prisoners' clothing and bedding;

(e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.

2. The prison director shall take into consideration the advice and reports provided in accordance with paragraph 1 of this rule and rule 33 and shall take immediate steps to give effect to the advice and the recommendations in the reports. If the advice or recommendations do not fall within the prison director's competence or if he or she does not concur with them, the director shall immediately submit to a higher authority his or her own report and the advice or recommendations of the physician or competent public health body.

Restrictions, discipline and sanctions

Rule 36

Discipline and order shall be maintained with no more restriction than is necessary to ensure safe custody, the secure operation of the prison and a well-ordered community life.

Rule 37

The following shall always be subject to authorization by law or by the regulation of the competent administrative authority:

(a) Conduct constituting a disciplinary offence;

(b) The types and duration of sanctions that may be imposed;

(c) The authority competent to impose such sanctions;

(d) Any form of involuntary separation from the general prison population, such as solitary confinement, isolation, segregation, special care units or restricted housing, whether as a disciplinary sanction or for the maintenance of order and security, including promulgating policies and procedures governing the use and review of, admission to and release from any form of involuntary separation.

Rule 38

1. Prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other alternative dispute resolution mechanism to prevent disciplinary offences or to resolve conflicts.

2. For prisoners who are, or have been, separated, the prison administration shall take the necessary measures to alleviate the potential detrimental effects of their confinement on them and on their community following their release from prison.

Rule 39

1. No prisoner shall be sanctioned except in accordance with the terms of the law or regulation referred to in rule 37 and the principles of fairness and due process. A prisoner shall never be sanctioned twice for the same act or offence.

2. Prison administrations shall ensure proportionality between a disciplinary sanction and the offence for which it is established, and shall keep a proper record of all disciplinary sanctions imposed.

3. Before imposing disciplinary sanctions, prison administrations shall consider whether and how a prisoner's mental illness or developmental disability may have contributed to his or her conduct and the commitment of the offence or act underlying the disciplinary charge. Prison administrations shall not sanction any conduct of a prisoner that is considered to be the direct result of his or her mental illness or intellectual disability.

Rule 40

1. No prisoner shall be employed, in the service of the prison, in any disciplinary capacity.

2. This rule shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are entrusted, under supervision, to prisoners who are formed into groups for the purposes of treatment.

Rule 41

1. Any allegation of a disciplinary offence by a prisoner shall be reported promptly to the competent authority, which shall investigate it without undue delay.

2. Prisoners shall be informed, without delay and in a language that they understand, of the nature of the accusations against them and shall be given adequate time and facilities for the preparation of their defence.

3. Prisoners shall be allowed to defend themselves in person, or through legal assistance when the interests of justice so require, particularly in cases involving serious disciplinary charges. If the prisoners do not understand or speak the language used at a disciplinary hearing, they shall be assisted by a competent interpreter free of charge.

4. Prisoners shall have an opportunity to seek judicial review of disciplinary sanctions imposed against them.

5. In the event that a breach of discipline is prosecuted as a crime, prisoners shall be entitled to all due process guarantees applicable to criminal proceedings, including unimpeded access to a legal adviser.

Rule 42

General living conditions addressed in these rules, including those related to light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space, shall apply to all prisoners without exception.

Rule 43

1. In no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited:

(a) Indefinite solitary confinement;

(b) Prolonged solitary confinement;

(c) Placement of a prisoner in a dark or constantly lit cell;

(d) Corporal punishment or the reduction of a prisoner's diet or drinking water;

(e) Collective punishment.

2. Instruments of restraint shall never be applied as a sanction for disciplinary offences.

3. Disciplinary sanctions or restrictive measures shall not include the prohibition of family contact. The means of family contact may only be restricted for a limited time period and as strictly required for the maintenance of security and order.

Rule 44

For the purpose of these rules, solitary confinement shall refer to the confinement of prisoners for 22 hours or more a day without meaningful human

contact. Prolonged solitary confinement shall refer to solitary confinement for a time period in excess of 15 consecutive days.

Rule 45

1. Solitary confinement shall be used only in exceptional cases as a last resort, for as short a time as possible and subject to independent review, and only pursuant to the authorization by a competent authority. It shall not be imposed by virtue of a prisoner's sentence.

2. The imposition of solitary confinement should be prohibited in the case of prisoners with mental or physical disabilities when their conditions would be exacerbated by such measures. The prohibition of the use of solitary confinement and similar measures in cases involving women and children, as referred to in other United Nations standards and norms in crime prevention and criminal justice,[57] continues to apply.

Rule 46

1. Health-care personnel shall not have any role in the imposition of disciplinary sanctions or other restrictive measures. They shall, however, pay particular attention to the health of prisoners held under any form of involuntary separation, including by visiting such prisoners on a daily basis and providing prompt medical assistance and treatment at the request of such prisoners or prison staff.

2. Health-care personnel shall report to the director, without delay, any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of a prisoner subjected to such sanctions or measures and shall advise the director if they consider it necessary to terminate or alter them for physical or mental health reasons.

3. Health-care personnel shall have the authority to review and recommend changes to the involuntary separation of a prisoner in order to ensure that such separation does not exacerbate the medical condition or mental or physical disability of the prisoner.

Instruments of restraint

Rule 47

1. The use of chains, irons or other instruments of restraint which are inherently degrading or painful shall be prohibited.

2. Other instruments of restraint shall only be used when authorized by law and in the following circumstances:

(a) As a precaution against escape during a transfer, provided that they are removed when the prisoner appears before a judicial or administrative authority;

[57] See rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113, annex); and rule 22 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (resolution 65/229, annex).

(b) By order of the prison director, if other methods of control fail, in order to prevent a prisoner from injuring himself or herself or others or from damaging property; in such instances, the director shall immediately alert the physician or other qualified health-care professionals and report to the higher administrative authority.

Rule 48

1. When the imposition of instruments of restraint is authorized in accordance with paragraph 2 of rule 47, the following principles shall apply:

(a) Instruments of restraint are to be imposed only when no lesser form of control would be effective to address the risks posed by unrestricted movement;

(b) The method of restraint shall be the least intrusive method that is necessary and reasonably available to control the prisoner's movement, based on the level and nature of the risks posed;

(c) Instruments of restraint shall be imposed only for the time period required, and they are to be removed as soon as possible after the risks posed by unrestricted movement are no longer present.

2. Instruments of restraint shall never be used on women during labour, during childbirth and immediately after childbirth.

Rule 49

The prison administration should seek access to, and provide training in the use of, control techniques that would obviate the need for the imposition of instruments of restraint or reduce their intrusiveness.

Searches of prisoners and cells

Rule 50

The laws and regulations governing searches of prisoners and cells shall be in accordance with obligations under international law and shall take into account international standards and norms, keeping in mind the need to ensure security in the prison. Searches shall be conducted in a manner that is respectful of the inherent human dignity and privacy of the individual being searched, as well as the principles of proportionality, legality and necessity.

Rule 51

Searches shall not be used to harass, intimidate or unnecessarily intrude upon a prisoner's privacy. For the purpose of accountability, the prison administration shall keep appropriate records of searches, in particular strip and body cavity searches and searches of cells, as well as the reasons for the searches, the identities of those who conducted them and any results of the searches.

Rule 52

1. Intrusive searches, including strip and body cavity searches, should be undertaken only if absolutely necessary. Prison administrations shall be encouraged

to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner.

2. Body cavity searches shall be conducted only by qualified health-care professionals other than those primarily responsible for the care of the prisoner or, at a minimum, by staff appropriately trained by a medical professional in standards of hygiene, health and safety.

Rule 53

Prisoners shall have access to, or be allowed to keep in their possession without access by the prison administration, documents relating to their legal proceedings.

Information to and complaints by prisoners

Rule 54

Upon admission, every prisoner shall be promptly provided with written information about:

(a) The prison law and applicable prison regulations;

(b) His or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints;

(c) His or her obligations, including applicable disciplinary sanctions; and

(d) All other matters necessary to enable the prisoner to adapt himself or herself to the life of the prison.

Rule 55

1. The information referred to in rule 54 shall be available in the most commonly used languages in accordance with the needs of the prison population. If a prisoner does not understand any of those languages, interpretation assistance should be provided.

2. If a prisoner is illiterate, the information shall be conveyed to him or her orally. Prisoners with sensory disabilities should be provided with information in a manner appropriate to their needs.

3. The prison administration shall prominently display summaries of the information in common areas of the prison.

Rule 56

1. Every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her.

2. It shall be possible to make requests or complaints to the inspector of prisons during his or her inspections. The prisoner shall have the opportunity to talk to the inspector or any other inspecting officer freely and in full confidentiality, without the director or other members of the staff being present.

3. Every prisoner shall be allowed to make a request or complaint regarding his or her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities, including those vested with reviewing or remedial power.

4. The rights under paragraphs 1 to 3 of this rule shall extend to the legal adviser of the prisoner. In those cases where neither the prisoner nor his or her legal adviser has the possibility to exercise such rights, a member of the prisoner's family or any other person who has knowledge of the case may do so.

Rule 57

1. Every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority.

2. Safeguards shall be in place to ensure that prisoners can make requests or complaints safely and, if so requested by the complainant, in a confidential manner. A prisoner or other person mentioned in paragraph 4 of rule 56 must not be exposed to any risk of retaliation, intimidation or other negative consequences as a result of having submitted a request or complaint.

3. Allegations of torture or other cruel, inhuman or degrading treatment or punishment of prisoners shall be dealt with immediately and shall result in a prompt and impartial investigation conducted by an independent national authority in accordance with paragraphs 1 and 2 of rule 71.

Contact with the outside world

Rule 58

1. Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals:

(a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and

(b) By receiving visits.

2. Where conjugal visits are allowed, this right shall be applied without discrimination, and women prisoners shall be able to exercise this right on an equal basis with men. Procedures shall be in place and premises shall be made available to ensure fair and equal access with due regard to safety and dignity.

Rule 59

Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation.

Rule 60

1. Admission of visitors to the prison facility is contingent upon the visitor's consent to being searched. The visitor may withdraw his or her consent at any time in which case the prison administration may refuse access.

2. Search and entry procedures for visitors shall not be degrading and shall be governed by principles at least as protective as those outlined in rules 50 to 52. Body cavity searches should be avoided and should not be applied to children.

Rule 61

1. Prisoners shall be provided with adequate opportunity, time and facilities to be visited by and to communicate and consult with a legal adviser of their own choice or a legal aid provider, without delay, interception or censorship and in full confidentiality, on any legal matter, in conformity with applicable domestic law. Consultations may be within sight, but not within hearing, of prison staff.

2. In cases in which prisoners do not speak the local language, the prison administration shall facilitate access to the services of an independent competent interpreter.

3. Prisoners should have access to effective legal aid.

Rule 62

1. Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.

2. Prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

Rule 63

Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the prison administration.

Books

Rule 64

Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

Religion

Rule 65

1. If the prison contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

2. A qualified representative appointed or approved under paragraph 1 of this rule shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his or her religion at proper times.

3. Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his or her attitude shall be fully respected.

Rule 66

So far as practicable, every prisoner shall be allowed to satisfy the needs of his or her religious life by attending the services provided in the prison and having in his or her possession the books of religious observance and instruction of his or her denomination.

Retention of prisoners' property

Rule 67

1. All money, valuables, clothing and other effects belonging to a prisoner which under the prison regulations he or she is not allowed to retain shall on his or her admission to the prison be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.

2. On the release of the prisoner, all such articles and money shall be returned to him or her except in so far as he or she has been authorized to spend money or send any such property out of the prison, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him or her.

3. Any money or effects received for a prisoner from outside shall be treated in the same way.

4. If a prisoner brings in any drugs or medicine, the physician or other qualified health-care professionals shall decide what use shall be made of them.

Notifications

Rule 68

Every prisoner shall have the right, and shall be given the ability and means, to inform immediately his or her family, or any other person designated as a contact person, about his or her imprisonment, about his or her transfer to another institution and about any serious illness or injury. The sharing of prisoners' personal information shall be subject to domestic legislation.

Rule 69

In the event of a prisoner's death, the prison director shall at once inform the prisoner's next of kin or emergency contact. Individuals designated by a prisoner to receive his or her health information shall be notified by the director of the prisoner's serious illness, injury or transfer to a health institution. The explicit request of a prisoner not to have his or her spouse or nearest relative notified in the event of illness or injury shall be respected.

Rule 70

The prison administration shall inform a prisoner at once of the serious illness or death of a near relative or any significant other. Whenever circumstances allow, the prisoner should be authorized to go, either under escort or alone, to the bedside of a near relative or significant other who is critically ill, or to attend the funeral of a near relative or significant other.

Investigations

Rule 71

1. Notwithstanding the initiation of an internal investigation, the prison director shall report, without delay, any custodial death, disappearance or serious injury to a judicial or other competent authority that is independent of the prison administration and mandated to conduct prompt, impartial and effective investigations into the circumstances and causes of such cases. The prison administration shall fully cooperate with that authority and ensure that all evidence is preserved.

2. The obligation in paragraph 1 of this rule shall equally apply whenever there are reasonable grounds to believe that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed in prison, irrespective of whether a formal complaint has been received.

3. Whenever there are reasonable grounds to believe that an act referred to in paragraph 2 of this rule has been committed, steps shall be taken immediately to ensure that all potentially implicated persons have no involvement in the investigation and no contact with the witnesses, the victim or the victim's family.

Rule 72

The prison administration shall treat the body of a deceased prisoner with respect and dignity. The body of a deceased prisoner should be returned to his or her next of kin as soon as reasonably possible, at the latest upon completion of the investigation. The prison administration shall facilitate a culturally appropriate funeral if there is no other responsible party willing or able to do so and shall keep a full record of the matter.

Removal of prisoners

Rule 73

1. When the prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.

2. The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship, shall be prohibited.

3. The transport of prisoners shall be carried out at the expense of the prison administration and equal conditions shall apply to all of them.

Institutional personnel

Rule 74

1. The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of prisons depends.

2. The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.

3. To secure the foregoing ends, personnel shall be appointed on a full-time basis as professional prison staff and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work.

Rule 75

1. All prison staff shall possess an adequate standard of education and shall be given the ability and means to carry out their duties in a professional manner.

2. Before entering on duty, all prison staff shall be provided with training tailored to their general and specific duties, which shall be reflective of contemporary evidence-based best practice in penal sciences. Only those candidates who successfully pass the theoretical and practical tests at the end of such training shall be allowed to enter the prison service.

3. The prison administration shall ensure the continuous provision of in-service training courses with a view to maintaining and improving the knowledge and professional capacity of its personnel, after entering on duty and during their career.

Rule 76

1. Training referred to in paragraph 2 of rule 75 shall include, at a minimum, training on:

(a) Relevant national legislation, regulations and policies, as well as applicable international and regional instruments, the provisions of which must guide the work and interactions of prison staff with inmates;

(b) Rights and duties of prison staff in the exercise of their functions, including respecting the human dignity of all prisoners and the prohibition of certain conduct, in particular torture and other cruel, inhuman or degrading treatment or punishment;

(c) Security and safety, including the concept of dynamic security, the use of force and instruments of restraint, and the management of violent offenders, with due consideration of preventive and defusing techniques, such as negotiation and mediation;

(d) First aid, the psychosocial needs of prisoners and the corresponding dynamics in prison settings, as well as social care and assistance, including early detection of mental health issues.

2. Prison staff who are in charge of working with certain categories of prisoners, or who are assigned other specialized functions, shall receive training that has a corresponding focus.

Rule 77

All prison staff shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.

Rule 78

1. So far as possible, prison staff shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors.

2. The services of social workers, teachers and trade instructors shall be secured on a permanent basis, without thereby excluding part-time or voluntary workers.

Rule 79

1. The prison director should be adequately qualified for his or her task by character, administrative ability, suitable training and experience.

2. The prison director shall devote his or her entire working time to official duties and shall not be appointed on a part-time basis. He or she shall reside on the premises of the prison or in its immediate vicinity.

3. When two or more prisons are under the authority of one director, he or she shall visit each of them at frequent intervals. A responsible resident official shall be in charge of each of these prisons.

Rule 80

1. The prison director, his or her deputy, and the majority of other prison staff shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.

2. Whenever necessary, the services of a competent interpreter shall be used.

Rule 81

1. In a prison for both men and women, the part of the prison set aside for women shall be under the authority of a responsible woman staff member who shall have the custody of the keys of all that part of the prison.

2. No male staff member shall enter the part of the prison set aside for women unless accompanied by a woman staff member.

3. Women prisoners shall be attended and supervised only by women staff members. This does not, however, preclude male staff members, particularly doctors and teachers, from carrying out their professional duties in prisons or parts of prisons set aside for women.

Rule 82

1. Prison staff shall not, in their relations with the prisoners, use force except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Prison staff who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison director.

2. Prison staff shall be given special physical training to enable them to restrain aggressive prisoners.

3. Except in special circumstances, prison staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, prison staff should in no circumstances be provided with arms unless they have been trained in their use.

Internal and external inspections

Rule 83

1. There shall be a twofold system for regular inspections of prisons and penal services:

(a) Internal or administrative inspections conducted by the central prison administration;

(b) External inspections conducted by a body independent of the prison administration, which may include competent international or regional bodies.

2. In both cases, the objective of the inspections shall be to ensure that prisons are managed in accordance with existing laws, regulations, policies and procedures, with a view to bringing about the objectives of penal and corrections services, and that the rights of prisoners are protected.

Rule 84

1. Inspectors shall have the authority:

(a) To access all information on the numbers of prisoners and places and locations of detention, as well as all information relevant to the treatment of prisoners, including their records and conditions of detention;

(b) To freely choose which prisons to visit, including by making unannounced visits at their own initiative, and which prisoners to interview;

(c) To conduct private and fully confidential interviews with prisoners and prison staff in the course of their visits;

(d) To make recommendations to the prison administration and other competent authorities.

2. External inspection teams shall be composed of qualified and experienced inspectors appointed by a competent authority and shall encompass health-care professionals. Due regard shall be given to balanced gender representation.

Rule 85

1. Every inspection shall be followed by a written report to be submitted to the competent authority. Due consideration shall be given to making the reports of external inspections publicly available, excluding any personal data on prisoners unless they have given their explicit consent.

2. The prison administration or other competent authorities, as appropriate, shall indicate, within a reasonable time, whether they will implement the recommendations resulting from the external inspection.

II. Rules applicable to special categories

A. Prisoners under sentence

Guiding principles

Rule 86

The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the declaration made under preliminary observation 1 of these rules.

Rule 87

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same prison or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

Rule 88

1. The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it. Community agencies should, therefore, be enlisted wherever possible to assist the prison staff in the task of social rehabilitation of the prisoners.

2. There should be in connection with every prison social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his or her family and with valuable social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.

Rule 89

1. The fulfilment of these principles requires individualization of treatment and for this purpose a flexible system of classifying prisoners in groups. It is therefore desirable that such groups should be distributed in separate prisons suitable for the treatment of each group.

2. These prisons do not need to provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs

of different groups. Open prisons, by the very fact that they provide no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favourable to the rehabilitation of carefully selected prisoners.

3. It is desirable that the number of prisoners in closed prisons should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such prisons should not exceed five hundred. In open prisons the population should be as small as possible.

4. On the other hand, it is undesirable to maintain prisons which are so small that proper facilities cannot be provided.

Rule 90

The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient aftercare directed towards the lessening of prejudice against him or her and towards his or her social rehabilitation.

Treatment

Rule 91

The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

Rule 92

1. To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release.

2. For every prisoner with a sentence of suitable length, the prison director shall receive, as soon as possible after his or her admission, full reports on all the matters referred to in paragraph 1 of this rule. Such reports shall always include a report by the physician or other qualified health-care professionals on the physical and mental condition of the prisoner.

3. The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Classification and individualization

Rule 93

1. The purposes of classification shall be:

(a) To separate from others those prisoners who, by reason of their criminal records or characters, are likely to exercise a bad influence;

(b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

2. So far as possible, separate prisons or separate sections of a prison shall be used for the treatment of different classes of prisoners.

Rule 94

As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him or her in the light of the knowledge obtained about his or her individual needs, capacities and dispositions.

Privileges

Rule 95

Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every prison, in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of prisoners in their treatment.

Work

Rule 96

1. Sentenced prisoners shall have the opportunity to work and/or to actively participate in their rehabilitation, subject to a determination of physical and mental fitness by a physician or other qualified health-care professional.

2. Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

Rule 97

1. Prison labour must not be of an afflictive nature.

2. Prisoners shall not be held in slavery or servitude.

3. No prisoner shall be required to work for the personal or private benefit of any prison staff.

Rule 98

1. So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.

2. Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.

3. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, prisoners shall be able to choose the type of work they wish to perform.

Rule 99

1. The organization and methods of work in prisons shall resemble as closely as possible those of similar work outside of prisons, so as to prepare prisoners for the conditions of normal occupational life.

2. The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the prison.

Rule 100

1. Preferably institutional industries and farms should be operated directly by the prison administration and not by private contractors.

2. Where prisoners are employed in work not controlled by the prison administration, they shall always be under the supervision of prison staff. Unless the work is for other departments of the government, the full normal wages for such work shall be paid to the prison administration by the persons to whom the labour is supplied, account being taken of the output of the prisoners.

Rule 101

1. The precautions laid down to protect the safety and health of free workers shall be equally observed in prisons.

2. Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favourable than those extended by law to free workers.

Rule 102

1. The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workers.

2. The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of the treatment and rehabilitation of prisoners.

Rule 103

1. There shall be a system of equitable remuneration of the work of prisoners.

2. Under the system prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.

3. The system should also provide that a part of the earnings should be set aside by the prison administration so as to constitute a savings fund to be handed over to the prisoner on his or her release.

Education and recreation

Rule 104

1. Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterate prisoners and of young prisoners shall be compulsory and special attention shall be paid to it by the prison administration.

2. So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

Rule 105

Recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners.

Social relations and aftercare

Rule 106

Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his or her family as are desirable in the best interests of both.

Rule 107

From the beginning of a prisoner's sentence, consideration shall be given to his or her future after release and he or she shall be encouraged and provided assistance to maintain or establish such relations with persons or agencies outside the prison as may promote the prisoner's rehabilitation and the best interests of his or her family.

Rule 108

1. Services and agencies, governmental or otherwise, which assist released prisoners in re-establishing themselves in society shall ensure, so far as is possible and necessary, that released prisoners are provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.

2. The approved representatives of such agencies shall have all necessary access to the prison and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his or her sentence.

3. It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts.

B. Prisoners with mental disabilities and/or health conditions

Rule 109

1. Persons who are found to be not criminally responsible, or who are later diagnosed with severe mental disabilities and/or health conditions, for whom staying in prison would mean an exacerbation of their condition, shall not be detained in prisons, and arrangements shall be made to transfer them to mental health facilities as soon as possible.

2. If necessary, other prisoners with mental disabilities and/or health conditions can be observed and treated in specialized facilities under the supervision of qualified health-care professionals.

3. The health-care service shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

Rule 110

It is desirable that steps should be taken, by arrangement with the appropriate agencies, to ensure if necessary the continuation of psychiatric treatment after release and the provision of social-psychiatric aftercare.

C. Prisoners under arrest or awaiting trial

Rule 111

1. Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced, will be referred to as "untried prisoners" hereinafter in these rules.

2. Unconvicted prisoners are presumed to be innocent and shall be treated as such.

3. Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit from a special regime which is described in the following rules in its essential requirements only.

Rule 112

1. Untried prisoners shall be kept separate from convicted prisoners.

2. Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions.

Rule 113

Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate.

Rule 114

Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from

the outside, either through the administration or through their family or friends. Otherwise, the administration shall provide their food.

Rule 115

An untried prisoner shall be allowed to wear his or her own clothing if it is clean and suitable. If he or she wears prison dress, it shall be different from that supplied to convicted prisoners.

Rule 116

An untried prisoner shall always be offered opportunity to work, but shall not be required to work. If he or she chooses to work, he or she shall be paid for it.

Rule 117

An untried prisoner shall be allowed to procure at his or her own expense or at the expense of a third party such books, newspapers, writing material and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

Rule 118

An untried prisoner shall be allowed to be visited and treated by his or her own doctor or dentist if there are reasonable grounds for the application and he or she is able to pay any expenses incurred.

Rule 119

1. Every untried prisoner has the right to be promptly informed about the reasons for his or her detention and about any charges against him or her.

2. If an untried prisoner does not have a legal adviser of his or her own choice, he or she shall be entitled to have a legal adviser assigned to him or her by a judicial or other authority in all cases where the interests of justice so require and without payment by the untried prisoner if he or she does not have sufficient means to pay. Denial of access to a legal adviser shall be subject to independent review without delay.

Rule 120

1. The entitlements and modalities governing the access of an untried prisoner to his or her legal adviser or legal aid provider for the purpose of his or her defence shall be governed by the same principles as outlined in rule 61.

2. An untried prisoner shall, upon request, be provided with writing material for the preparation of documents related to his or her defence, including confidential instructions for his or her legal adviser or legal aid provider.

D. Civil prisoners

Rule 121

In countries where the law permits imprisonment for debt, or by order of a court under any other non-criminal process, persons so imprisoned shall not be

subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall be not less favourable than that of untried prisoners, with the reservation, however, that they may possibly be required to work.

E. Persons arrested or detained without charge

Rule 122

Without prejudice to the provisions of article 9 of the International Covenant on Civil and Political Rights,[58] persons arrested or imprisoned without charge shall be accorded the same protection as that accorded under part I and part II, section C, of these rules. Relevant provisions of part II, section A, of these rules shall likewise be applicable where their application may be conducive to the benefit of this special group of persons in custody, provided that no measures shall be taken implying that re-education or rehabilitation is in any way appropriate to persons not convicted of any criminal offence.

Draft resolution III

Taking action against gender-related killing of women and girls

The General Assembly,

Recalling its resolution 68/191 of 18 December 2013 on taking action against gender-related killing of women and girls, in particular the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls,

Deeply concerned that the global prevalence of different manifestations of the gender-related killing of women and girls is reaching alarming proportions, noting especially that one of every two women victims of homicide is killed by her intimate partner or a family member,[59]

Deeply concerned also at the scourge of sexual violence in all situations, including those of conflict, and targeted mass kidnapping, rape and killing of women and girls,

Taking note of the report of the Special Rapporteur on violence against women, its causes and consequences[60] and Human Rights Council resolution 20/12 of 5 July 2012 on accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence,

Recalling the report of the Office of the United Nations High Commissioner for Human Rights on creating and/or strengthening synergies and linkages on violence against women and girls[61] and Human Rights Council resolution 23/25 of 14 June 2013 on accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence,

[58] See resolution 2200 A (XXI), annex.
[59] United Nations Office on Drugs and Crime, *Global Study on Homicide 2013*.
[60] A/HRC/20/16.
[61] A/HRC/23/25.

Recalling also its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls,

Taking note with appreciation of the political declaration on the occasion of the twentieth anniversary of the Fourth World Conference on Women adopted by the Commission on the Status of Women at its fifty-ninth session,[62] which focused on the 20-year review of the Beijing Platform for Action,[63]

Expressing its gratitude to the Government of Thailand for hosting and chairing the open-ended intergovernmental expert group meeting on gender-related killing of women and girls, held in Bangkok from 11 to 13 November 2014, as mandated by its resolution 68/191 of 18 December 2013,

Taking note with appreciation of the recommendations of the above-mentioned open-ended intergovernmental expert group meeting,[64]

Welcoming the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[65] in particular the endeavour of Member States to mainstream a gender perspective into criminal justice systems by developing and implementing national strategies and plans, in order to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls,

Stressing the importance of eliminating all forms of violence against all women and girls in the public and private spheres and significantly reducing all forms of violence and related death rates everywhere, in the context of the post-2015 development agenda,[66]

Stressing also that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, to take measures to prevent and investigate acts of violence against women and girls and to prosecute and punish those responsible, no matter who the perpetrators of such crimes are, and to eliminate impunity,

Expressing appreciation for the work undertaken by the United Nations system in preventing and responding to all forms of violence against women and girls,

Viewing with appreciation the considerable input of many civil society organizations, as well as academia, in addressing the different forms of violence against women and girls, through research and direct action in their respective communities,

Taking note of national and international judicial decisions that condemn mass killing of women and girls,

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[62] See *Official Records of the Economic and Social Council, 2015, Supplement No. 7* (E/2015/27), chap. I, sect. C.

[63] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[64] E/CN.15/2015/16.

[65] A/CONF.222/17, chap. I, resolution 1.

[66] A/68/970.

Remaining alarmed by the high level of impunity with regard to gender-related killing of women and girls and the fact that violence against women and girls is among the least prosecuted and punished crimes in the world,

1. *Urges* Member States to take measures to prevent, investigate, prosecute and punish acts of violence against women and girls, in particular gender-related killing, in accordance with national laws, and to act at all levels to end impunity for those responsible for committing these heinous crimes against women and girls;

2. *Also urges* Member States to strengthen their criminal justice response to gender-related killing of women and girls, in particular by taking measures to support their capacity to investigate, prosecute and punish all forms of such crime and to consider measures in their capacities to provide, as appropriate, reparation, compensation and/or necessary legal, medical, psychological and social support to victims and their families or dependents;

3. *Encourages* Member States to consider ways to enhance international cooperation and the exchange of good practices in criminal matters related to gender-based violence, including by, as appropriate, ratifying or acceding to and implementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto[67] and other relevant international legal instruments;

4. *Encourages* States parties to the Convention on the Elimination of All Forms of Discrimination against Women[68] and its Optional Protocol,[69] the Convention on the Rights of the Child and the Optional Protocols thereto[70] and the Rome Statute of the International Criminal Court[71] to effectively implement those instruments;

5. *Invites* Member States to take into consideration the existing practical tools, as recommended by the open-ended intergovernmental expert group meeting on gender-related killing of women and girls, held in Bangkok from 11 to 13 November 2014, namely the Latin American model protocol for the investigation of gender-related killing of women and the "Recommendations for the effective investigation of the crime of femicide";[72]

6. *Encourages* Member States to promote integrated and comprehensive strategies to prevent all forms of violence against women and girls, including gender-related killing of women and girls, that include early and continuous educational programmes, community mobilization and awareness-raising, in order to counter attitudes and social factors that foster, justify or tolerate any violence against women and girls;

7. *Urges* Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider

[67] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.
[68] Ibid., vol. 1249, No. 20378.
[69] Ibid., vol. 2131, No. 20378.
[70] Ibid., vols. 1577, 2171 and 2173, No. 27531.
[71] Ibid., vol. 2187, No. 38544.
[72] Spain, Ministry of Foreign Affairs and Cooperation (May 2014).

adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system and develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons;

8. *Encourages* Member States to criminalize, prosecute and punish rape and other forms of sexual and gender-related violence against women and girls committed in all situations, including situations of conflict, taking into account international standards, and urges, where appropriate, relevant stakeholders to support the development and strengthening of the capacities of national institutions, in particular law enforcement, judicial and health systems, and of local civil society networks to provide sustainable assistance and access to justice to women and girls affected by gender-related violence;

9. *Also encourages* Member States to ensure that appropriate punishment for perpetrators of gender-related killing of women and girls are in place and are proportionate to the gravity of the offence;

10. *Calls upon* Member States to protect and support victims, drawing on the important role of civil society and ensuring effective cooperation between all relevant state agencies, including, where appropriate, the judiciary, prosecution services, law enforcement agencies, health and social services and local and regional authorities;

11. *Urges* Member States to ensure that victims and victims' survivors are informed of their rights and can participate, as appropriate, in the criminal proceedings, taking into account their dignity, well-being and safety and that victims are supported through appropriate services;

12. *Encourages* relevant United Nations entities and agencies, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to continue supporting Member States in developing and implementing strategies and policies, upon request, at the national, regional and international levels to address and prevent gender-related killing of women and girls;

13. *Encourages* Member States and relevant United Nations entities and agencies, including the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, UN-Women and other specialized funds and programmes of the United Nations, to raise awareness regarding gender-related killing of women and girls;

14. *Encourages* Member States to collect, disaggregate, analyse and report data on gender-related killing of women and girls, according to the International Classification of Crime for Statistical Purposes endorsed by the Statistical Commission and, where appropriate, to the extent possible, involve civil society, academia, victims' representatives and relevant international organizations and provide appropriate training to relevant personnel on technical and ethical aspects of such data collection and analysis;

15. *Requests* the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme

network to continue conducting and coordinating relevant research on gender-related killing of women and girls, particularly in connection with the standardization of the collection, disaggregation, analysis and reporting of data;

16. *Also requests* the United Nations Office on Drugs and Crime to prepare, in collaboration with Member States, an analytical study on gender-related killing of women and girls at the global level, containing disaggregated data, including from relevant stakeholders, on this phenomenon to illustrate its different forms and patterns;

17. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to include in their work programmes the issue of gender-related killing of women and girls with a view to promoting ways and means of more effectively preventing, investigating, prosecuting and punishing such crime, and to develop appropriate training material;

18. *Invites* Member States and other donors to provide extrabudgetary contributions for the purposes described above, in accordance with the rules and procedures of the United Nations;

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

Draft resolution IV

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Recalling all General Assembly resolutions related to technical assistance in countering terrorism, and especially the most recent resolutions such as General Assembly resolutions 68/178 of 18 December 2013, on protection of human rights and fundamental freedoms while countering terrorism, 68/187 of 18 December 2013, on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 69/127 of 10 December 2014, on measures to eliminate international terrorism, 69/197 of 18 December 2014, on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity, and 68/276 of 13 June 2014, on the United Nations Global Counter-Terrorism Strategy Review,

Taking note of relevant Security Council resolutions related to technical assistance in countering terrorism, especially the most recent resolutions,[73]

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

[73] Especially resolutions 2178 (2014) adopted on 24 September 2014, 2133 (2014) of 27 January 2014, 2195 (2014) of 19 December 2014 and 2199 (2015) of 12 February 2015.

Emphasizing the need to address the conditions conducive to the spread of terrorism, while fully respecting the fundamental principles and purposes of the Charter of the United Nations and international law,

Recalling its resolution 68/187 in which, inter alia, it called upon the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy[74] and the need for States to continue to implement the Strategy, as reaffirmed in General Assembly resolution 68/276, in which the Assembly noted with appreciation the activities undertaken in the area of capacity-building by United Nations entities, including the Counter-Terrorism Implementation Task Force entities, inter alia, the United Nations Office on Drugs and Crime, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementing the Strategy, and encouraged the Task Force to ensure focused delivery of capacity-building assistance, including in the framework of the Integrated Assistance for Countering Terrorism initiative,

Reiterating also that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, recognizing the need to enhance the coordinating and main role that the United Nations plays in facilitating coherence in the implementation of the Strategy at the national, subregional, regional and international levels and in providing assistance, especially in the area of capacity-building, as affirmed in pillar III of the Strategy, and encouraging other international, regional and subregional organizations to coordinate their activities in this regard with the United Nations,

Recalling that in its resolution 68/276 it expressed concern at the increasing flow of international recruits to terrorist organizations, including foreign terrorist fighters, and at the threat that that posed for all Member States, including countries of origin, transit and destination, and recalling also that it expressed concern at the increase, in some regions, in incidents of kidnapping and hostage-taking committed by terrorist groups, for any purpose, including with the aim of raising funds or gaining political concessions, and noted that ransoms paid to terrorists were used as one of the sources of funding for their activities, including further kidnappings,

Recalling also the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[75] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,

Noting in this regard the need to continue to counter terrorism in all its forms and manifestations, including any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities,

[74] General Assembly resolution 60/288.
[75] A/CONF.222/17, chap. I, resolution 1.

money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes,

Alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups in some countries,

Recognizing the important role of the United Nations Office on Drugs and Crime within the entities of the Counter-Terrorism Implementation Task Force in countering the financing of terrorism and in legal and criminal justice responses to terrorism, and recalling the importance of coordination among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to promote accountability and transparency and avoid duplication in their work,

Affirming that States must ensure that any measure taken to counter terrorism complies with all their obligations under international law, in particular, international human rights, refugee and humanitarian law,

Taking note of the work undertaken and the progress achieved in providing technical assistance for countering money-laundering and the financing of terrorism within the framework of relevant and specialized regional and international bodies,

Taking note also of the report of the Secretary-General on technical assistance in implementing the international conventions and protocols related to terrorism,[76]

Taking note further of the ongoing work by the United Nations Office on Drugs and Crime to support Member States in their efforts in preventing and countering terrorism in the crime prevention and criminal justice context, in particular with regard to the compilation of good practices in the area of assistance to and support for victims of terrorism, including the role of victims in the criminal justice framework, and reiterating that this work needs to be done in close coordination with Member States,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to counter-terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and counter terrorism, in all its forms and manifestations, in accordance with international law, including the Charter of the United Nations, to effectively implement relevant international instruments and United Nations resolutions that address the phenomenon of foreign terrorist fighters, to counter the financing of terrorism, including through hostage-taking and kidnapping for ransom, to enter, when appropriate, into bilateral, regional and multilateral treaties on extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel in executing international cooperation

[76] E/CN.15/2015/4

activities, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance, upon request, to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to countering terrorism and fostering the development of strong and effective central authorities for international cooperation in criminal matters;

3. *Stresses* the importance of the development and maintenance of effective, fair, humane, transparent and accountable criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

4. *Calls upon* the United Nations Office on Drugs and Crime to continue to strengthen the provision of technical assistance to Member States, upon request and within its mandate, on effective measures, based on the rule of law, for criminal justice responses addressing the prevention of terrorism, in full conformity with human rights and fundamental freedoms;

5. *Also calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice and law enforcement officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States;

6. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of countering and preventing terrorism and pertinent thematic areas of relevance to the mandate of the Office and to continue to provide assistance to requesting Member States with regard to criminal justice responses to terrorism in all its forms and manifestations as set out in the international legal instruments and as detailed in relevant United Nations resolutions;

7. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and in collaboration with, when appropriate, the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to provide assistance to requesting Member States in addressing the threat of foreign terrorist fighters, through its capacity-building activities, with regard to enhancing their cooperation and developing relevant measures, as well as appropriate criminal justice responses, to prevent the financing, mobilization, travel, recruitment, organization and radicalization of foreign terrorist fighters, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice in compliance with obligations under international law and applicable domestic law;

8. *Encourages* Member States to strengthen cooperation in enhanced operational and timely sharing of information related to foreign terrorist fighters, as well as to cooperate and to address, as appropriate, including through the effective exchange of information and the sharing of experiences and good practices, and to

counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

9. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to support, as appropriate, the development of improved cooperation between Member States in relation to kidnapping and hostage-taking committed by terrorist groups by providing, upon request, technical assistance to develop their capability to prevent future incidents of kidnapping and hostage-taking by terrorists and prevent terrorists from benefiting directly or indirectly from ransom payments and political concessions;

10. *Also requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge in close consultation with Member States to continue to provide assistance to requesting Member States so as to counter the use of the Internet for terrorist purposes, to support those Member States in effectively criminalizing, investigating and prosecuting such acts in accordance with applicable international law on due process and fully respecting human rights and fundamental freedoms, and to encourage the use of the Internet as a tool for countering the spread of terrorism;

11. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to support requesting Member States in the implementation of capacity-building programmes to strengthen crime prevention and criminal justice responses to the destruction of cultural heritage by terrorists;

12. *Urges* the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

13. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes, including by assisting States, as requested;

14. *Welcomes* the ongoing joint initiatives developed by the United Nations Office on Drugs and Crime and the Counter-Terrorism Committee and its Executive Directorate, as well as by the United Nations Office on Drugs and Crime and the Counter-Terrorism Implementation Task Force;

15. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites Member States to consider making additional sustainable voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery

of technical assistance to assist Member States with the implementation of the relevant provisions of the United Nations Global Counter-Terrorism Strategy;

16. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

17. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

The Economic and Social Council,

Recognizing the significance of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

Reaffirming that the Global Plan of Action was developed:

(a) To promote universal ratification of the United Nations Convention against Transnational Organized Crime[77] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[78] as well as other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons;

(b) To help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons;

(c) To promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons;

(d) To promote a human rights-based, gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and in strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect victims and prosecute perpetrators;

[77] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[78] Ibid., vol. 2237, No. 39574.

(e) To raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society organizations and the international and national mass media, and the public at large;

(f) To foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned.

Recalling its resolution 2013/41 of 25 July 2013, entitled "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons";

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development;

Emphasizing the role of the United Nations Office on Drugs and Crime in the implementation of the Global Plan of Action, including as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons;

Recalling that the Inter-Agency Coordination Group was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking;

Recognizing that the Inter-Agency Coordination Group, within its mandate, contributes to the implementation of the Global Plan of Action;

Recognizing also that the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established consistent with the Global Plan of Action, aims at providing victims of trafficking in persons with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations, and welcoming contributions made to the Trust Fund by States and other relevant stakeholders;

Welcoming the high-level meeting of the General Assembly during its sixty-seventh session, from 13 to 15 May 2013, to appraise the progress achieved in the implementation of the Global Plan of Action;

Taking note of the decision of the General Assembly, in its resolution 68/192 of 18 December 2013, to appraise the progress achieved in the implementation of the Global Plan of Action on a four-year basis, starting at its seventy-second session;

Taking note also of the decision of the General Assembly in its resolution 68/192 to designate 30 July as the World Day against Trafficking in Persons, to be observed every year beginning in 2014;

Recalling the continued role of relevant subregional, regional and cross-regional mechanisms and initiatives to combat and eliminate all forms of trafficking in persons;

1. *Reiterates* the crucial importance of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[78] which entered into force on 25 December 2003 and which provided for the first time an

internationally agreed definition of the crime of trafficking in persons, aimed at the prevention of trafficking in persons, the protection of its victims and the prosecution of its perpetrators, and in this regard, calls upon Member States that have not yet done so to consider as a matter of priority ratifying or acceding to the United Nations Convention against Transnational Organized Crime[79] and its Trafficking in Persons Protocol;

2. *Reaffirms* the importance of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, which was established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention and the Trafficking in Persons Protocol;

3. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons,[80] and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and other relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

4. *Welcomes* the first observation of the World Day against Trafficking in Persons in 2014 and invites all Member States, relevant agencies of the United Nations system and other international organizations, as well as civil society, to continue to actively observe the World Day every year;

5. *Also welcomes* the publication of the *Global Report on Trafficking in Persons 2014*[81] prepared by the United Nations Office on Drugs and Crime pursuant to the Global Plan of Action, looks forward to the next such report to be produced by the Office in 2016, and encourages Member States to provide to the Office evidence-based data on patterns, forms and flows of trafficking in persons;

6. *Requests* the United Nations Office on Drugs and Crime to continue to integrate the Global Plan of Action into its programmes and activities and continue to provide, at the national and regional levels, technical assistance to countries, upon their request, aimed at strengthening their ability to ensure full and effective implementation of the Global Plan of Action;

7. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, within the framework of the Inter-Agency Coordination Group against Trafficking in Persons, to continue to increase the activities of the Group related to the implementation of the Global Plan of Action;

8. *Encourages* the United Nations Office on Drugs and Crime in its capacity as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons, and other members of the Inter-Agency Coordination Group, to continue to contribute in line with their existing mandates to the implementation of the Global Plan of Action, and in this regard invites the Office and other members of

[79] Ibid., vol. 2225, No. 39574.
[80] General Assembly resolution 64/293.
[81] United Nations publication, Sales No. E.14.V.10.

the Inter-Agency Coordination Group to continue to elaborate, in cooperation with Member States, a list of concrete measures planned until 2017 aimed at implementing the Global Plan of Action and to present it in an appropriate manner to the General Assembly at its sixty-ninth session;

9. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

10. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

11. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-sixth session on the implementation of the present resolution, including by providing an update on the status of the contributions to and expenditures of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children.

Draft resolution II

Improving the quality and availability of statistics on crime and criminal justice for policy development

The Economic and Social Council,

Recalling General Assembly resolution 67/189 of 20 December 2012, in which the Assembly requested the United Nations Office on Drugs and Crime, within its existing mandate, to continue strengthening the regular collection, analysis and dissemination of accurate, reliable and comparable data and information, and strongly encouraged Member States to share such data and information with the Office,

Recalling also its resolution 2013/37 of 25 July 2013 on improving the quality and availability of statistics on crime and criminal justice for policy development, in which it affirmed its support of the activities in the road map to improve the quality and availability of crime statistics at the national and international levels[82] and approved the plan to finalize by 2015 an international classification of crimes for statistical purposes as a methodological tool for harmonization and for the improvement of international and regional comparability,

Reaffirming the commitment to endeavour to strengthen the development and use of tools and methods aimed at increasing the availability and quality of statistical information and analytical studies on crime and criminal justice at the international level, in order to better measure and evaluate the impact of responses to crime and to enhance the effectiveness of crime prevention and criminal justice programmes at the national, regional and international levels, as set forth in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to

[82] See E/CN.3/2013/11.

Promote the Rule of Law at the National and International Levels, and Public Participation,[83] adopted on the occasion of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,

Recognizing the importance and cross-cutting nature of information and statistics in developing and supporting public policies at the national, regional and global levels, as well as in measuring the implementation of relevant international instruments in the field of crime prevention and criminal justice,

Emphasizing that the Commission on Crime Prevention and Criminal Justice and the Statistical Commission should continue their complementary and joint efforts in the field of statistics on crime and criminal justice,

Underscoring the importance of technical assistance and of building the capacity of Member States to collect, analyse, report and disseminate accurate and comparable statistics on crime and criminal justice,

1. *Acknowledges* the road map for improving crime statistics as a valuable conceptual and operational framework to improve statistics on crime and criminal justice, and encourages the United Nations Office on Drugs and Crime and all relevant partners to continue activities for its implementation, subject to availability of resources;

2. *Welcomes* the deliberations of the Statistical Commission at its forty-sixth session, held from 3 to 6 March 2015, at which it endorsed the International Classification of Crime for Statistical Purposes as an international statistical standard for the collection of data from both administrative records and statistical surveys and as an analytical tool to elicit specific information on factors driving crime, confirms the United Nations Office on Drugs and Crime as the custodian of the International Classification of Crime for Statistical Purposes, and endorses the implementation plan, including the creation of a technical advisory group to provide the Office with substantive advice and support in the maintenance of the International Classification;

3. *Recognizes* the comprehensive and inclusive preparatory work conducted by the United Nations Office on Drugs and Crime, the United Nations Statistics Division, Member States and experts to develop the International Classification of Crime for Statistical Purposes and test its feasibility;

4. *Invites* Member States to develop national plans for the gradual adoption of the International Classification of Crime for Statistical Purposes and the strengthening of national statistical systems on criminal justice in order to contribute to the effectiveness of their national legislation and policies, taking into account relevant international instruments in the field of crime prevention and criminal justice, by encouraging a productive dialogue among national authorities responsible for the collection, processing and dissemination of statistics on crime and criminal justice, including national statistical offices, so as to foster the implementation of the International Classification of Crime for Statistical Purposes by all national authorities concerned;

5. *Encourages* Member States to continue their efforts to improve crime statistics at the global level, through, inter alia, the exchange of experiences and

[83] A/CONF.222/17, chap. I, resolution 1

good practices and the establishment of statistical centres in cooperation with the United Nations Office on Drugs and Crime, and in that context reaffirms the positive contribution of the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice, established jointly by the United Nations Office on Drugs and Crime and the National Institute of Statistics and Geography of Mexico;

6. *Invites* the United Nations Office on Drugs and Crime and Member States to continue supporting the implementation of the International Classification of Crime for Statistical Purposes in accordance with the outlined implementation plan and subject to availability of resources, with particular reference to information campaigns, methodological support and technical assistance provided to requesting Member States;

7. *Urges* the United Nations Office on Drugs and Crime, in coordination with the technical advisory group to be established and in consultation with Member States, and within its existing mandates, to support the maintenance of the International Classification of Crime for Statistical Purposes through, inter alia, the review and evaluation of the implementation plan, and requests the United Nations Office on Drugs and Crime to continue providing relevant information to the Commission on Crime Prevention and Criminal Justice and to the Statistical Commission for their consideration in this regard;

8. *Requests* the United Nations Office on Drugs and Crime to continue developing, in consultation with Member States, technical and methodological tools to assist countries in producing and disseminating accurate and comparable statistics on crime and criminal justice, and to continue providing technical assistance, upon request, to Member States in order to enhance their capacity to collect, analyse and report data on crime and criminal justice;

9. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes, in accordance with the rules and procedures of the United Nations;

10. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-sixth session on the implementation of the present resolution.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Economic and Social Council, recalling its decision 2013/246 of 25 July 2013, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime", in which it, inter alia, reaffirmed Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009 and decided to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commissions to be held in the first half of 2015, at which time the Commissions would carry out a thorough review of the functioning of the working group and consider the extension of its mandate:

(a) Reaffirms the efficiency of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Also reaffirms the role of the Commission on Narcotic Drugs as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime;

(c) Expresses once again its continued concern about the governance and financial situation of the Office, and also expresses its awareness of the continued need to address these issues in a pragmatic, results-oriented, efficient and cooperative manner;

(d) Reaffirms Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice resolution 18/3, as well as Commission on Narcotic Drugs resolutions 54/10 of 25 March 2011, 54/17 of 13 December 2011 and 56/11 of 15 March 2013 and Commission on Crime Prevention and Criminal Justice resolutions 20/1 of 13 April 2011, 20/9 of 13 December 2011 and 22/2 of 26 April 2013, and decides to renew the mandate of the standing open-ended intergovernmental working group on improving the

governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commissions to be held in the first half of 2017, at which time the Commissions should carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(e) Decides that the working group shall hold formal and informal meetings in line with current practice, and that the dates of those meetings shall be determined by the co-chairs of the working group, in consultation with the Secretariat;

(f) Requests that the relevant documentation be provided to the working group not later than 10 working days before a meeting;

(g) Reiterates the importance of the development by Member States of an indicative annual workplan, taking into account inputs from the Secretariat, in order to guide the work of the working group, and approves the provisional agenda of the working group as set out below:

1. Biennial consolidated budget for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the United Nations Office on Drugs and Crime.
3. Evaluation and oversight.
4. Other matters.

Draft decision II

Report of the Commission on Crime Prevention and Criminal Justice on its twenty-fourth session and provisional agenda for its twenty-fifth session

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twenty-fourth session;

(b) Reaffirms Commission decision 21/1 of 27 April 2012;

(c) Approves the provisional agenda for the twenty-fifth session set out below.

Provisional agenda for the twenty-fifth session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Strategic management, budgetary and administrative questions:
   (a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;

(c) Working methods of the Commission;

(d) Staff composition of the United Nations Office on Drugs and Crime and other related matters.

4. Thematic discussion on [...].

5. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:

(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

(b) Ratification and implementation of the United Nations Convention against Corruption;

(c) Ratification and implementation of the international instruments to prevent and combat terrorism;

(d) Other crime prevention and criminal justice matters;

(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.

6. Use and application of United Nations standards and norms in crime prevention and criminal justice.

7. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

8. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice.

9. Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1.

10. Provisional agenda for the twenty-sixth session of the Commission.

11. Other business.

12. Adoption of the report of the Commission on its twenty-fifth session.

Draft decision III

Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

The Economic and Social Council decides to endorse the appointment of Christine M. Cline (United States of America) to the Board of Trustees of the United Nations Interregional Crime and Justice Research.

D. Matters brought to the attention of the Economic and Social Council

4. The following resolutions and decisions adopted by the Commission on Crime Prevention and Criminal Justice are brought to the attention of the Economic and Social Council:

Resolution 24/1

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Commission on Crime Prevention and Criminal Justice,

Recalling its resolution 18/3 of 24 April 2009, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime", in which it decided to establish a standing open-ended intergovernmental working group on governance and finance, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime,

Recalling also Economic and Social Council decision 2009/251 of 30 July 2009, entitled "Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", in which the Council decided that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year, in order to be able, pursuant to Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3, to consider the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

Reaffirming its role as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

Reaffirming also its resolutions 20/1 of 15 April 2011 and 22/2 of 26 April 2013, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime",

Concerned about the governance and financial situation of the United Nations Office on Drugs and Crime, and aware of the need to continue addressing that situation in a pragmatic, results-oriented, efficient and cooperative manner,

1. *Takes note* of the work of and the note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,[84] in accordance with Commission resolutions 18/3, 20/1 and 22/2;

2. *Expresses its appreciation* to the co-chairs of the working group for their work and to the Secretariat for its assistance in facilitating the work of the working group, including by providing, inter alia, updates on the financial situation of the United Nations Office on Drugs and Crime and briefings and presentations on thematic and regional programmes and global projects and on evaluation and oversight issues to the working group, and requests the Secretariat to continue providing such necessary assistance, bearing in mind the limited resources available to it;

3. *Welcomes* the established practice of having a clear schedule of meetings and programme of work for the working group, requests that a draft agenda for each meeting of the working group be distributed no later than 10 working days before the meeting, accompanied by all the relevant documents for the meeting, and reiterates the importance of the development of an indicative annual workplan by Member States, taking into account input from the Secretariat;

Continuous support for strengthening the financial situation of the United Nations Office on Drugs and Crime

4. *Recalls* that the working group has, on several occasions, discussed fundraising issues and ways to achieve sustainable and balanced funding for the United Nations Office on Drugs and Crime so as to ensure effective technical assistance, delivery capacity and the sustainability of thematic, global, regional and country programmes;

5. *Also recalls* that the working group has been considering the implementation of Commission on Narcotic Drugs resolution 56/17 of 13 December 2013 and Commission on Crime Prevention and Criminal Justice resolution 22/9 of 13 December 2013 and has been briefed on the provisional implementation of the new full cost recovery funding model;

6. *Requests* the working group to continue examining and discussing the funding situation and financial management of the United Nations Office on Drugs and Crime, inter alia, by:

(a) Receiving reports on, and facilitating, the resource mobilization process to promote the integrated programmes of the Office,[85] stressing their resource requirements, and to enhance funding predictability in line with the medium-term strategy;

(b) Continuing efforts, including through the Office, to further encourage donors to provide general-purpose funding, including by means of further increasing transparency and improving the application of full cost recovery and the quality of reporting and communication, and continuing to discuss the reasons for the low

[84] E/CN.7/2015/6-E/CN.15/2015/6.

[85] The United Nations Office on Drugs and Crime definition of "integrated programming approach" also includes programme review committee-approved country programmes.

level of general-purpose funding, with a view to restoring an adequate balance between general-purpose and special-purpose funds;

(c) Continuing to study the feasibility, progress and impact of the implementation of full cost recovery and the flexible application of programme support costs, with a view to increasing the effectiveness and results of the technical assistance programmes of the Office;

Continuous support for promoting an integrated programme approach

7. *Recalls* that the working group has been following the progress made by the Office in implementing an integrated programming approach that seeks to strengthen the links between normative mandates and operational technical assistance and in improving linkages between policy, strategic planning, evaluation, programmatic work, mobilization of resources and partnerships with all relevant stakeholders;

8. *Requests* the working group to:

(a) Continue promoting regular dialogue among all Member States, as well as with the Office, on the planning and formulation of the operational activities of the Office, especially with regard to its thematic, global and regional programmes, in line with the medium-term strategy and strategic framework;

(b) Continue receiving information from the Office on progress made in the implementation of regional, global and thematic programmes, as well as on progress made with regard to integrating lessons learned and recommendations from evaluations within and across regions, ensuring complementarities among programmes and their alignment with the strategic framework for the period 2014-2015 and the strategy of the Office for the period 2012-2015;

(c) Continue discussing with the Office the implementation of results-based management and budgeting;

Continuous support for promoting a culture of evaluation within the United Nations Office on Drugs and Crime at all stages of programme planning, development and implementation

9. *Recalls* that the working group has been provided with numerous presentations on evaluation findings, on which occasions participants have reiterated the importance of having a sustainable, effective and operationally independent corporate evaluation function at the Office, focused on the implementation, performance and impact of integrated programmes and their consistency with mandates of the Office;

10. *Requests* the working group to invite the Independent Evaluation Unit to:

(a) Continue providing the working group with evaluation findings on the programmes of the Office;

(b) Continue promoting a culture of evaluation throughout the Office at all stages of programme planning, development and implementation;

(c) Continue working with the Office in monitoring the implementation of recommendations made by relevant oversight bodies;

(d) Continue working with the Office on building increased coordination between evaluation, audit and other oversight bodies, with the aim of building a coordinated continuum of oversight of the projects and programmes of the Office;

Continuous support for strengthening human resources governance to improve gender balance and geographical representation

11. *Recalls* that the working group has been discussing the question of geographical representation and gender balance in the composition of the staff of the Office, as part of its efforts to improve the governance of the Office;

12. *Requests* the working group to:

(a) Continue discussing the issue of gender and geographical representation and its evolution under a specific agenda item, in order to discuss possible measures for improvement in this area;

(b) Continue receiving updated and comprehensive information, including in a disaggregated way, on the composition of the staff and the recruitment policies of the Office.

Resolution 24/2

Strengthening crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolutions 66/180 of 19 December 2011 and 68/186 of 18 December 2013, entitled "Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking", and Assembly resolution 69/196 of 18 December 2014, entitled "International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences",

Recalling also the United Nations Convention against Transnational Organized Crime,[86] adopted by the General Assembly in its resolution 55/25 of 15 November 2000, and the United Nations Convention against Corruption,[87] adopted by the General Assembly in its resolution 58/4 of 31 October 2003,

Recalling further the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[88] adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,[89] adopted by the International Institute for the Unification of Private Law on 24 June 1995, the Convention for the Protection of

[86] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[87] Ibid., vol. 2349, No. 42146.
[88] Ibid., vol. 823, No. 11806.
[89] Ibid., vol. 2421, No. 43718.

Cultural Property in the Event of Armed Conflict,[90] done at The Hague on 14 May 1954, and the two Protocols thereto, done at The Hague on 14 May 1954[90] and 26 March 1999,[91] and other relevant conventions, and reaffirming the necessity for those States which have not done so to consider ratifying or acceding to and, as States parties, implementing those international instruments,

Reaffirming the commitment to strive to strengthen and implement comprehensive crime prevention and criminal justice responses to trafficking in cultural property, as set forth in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[92]

Reiterating the importance of close cooperation with respect to relevant actions in the area of criminal justice and the efforts of the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization (INTERPOL) and other relevant international entities, with a view to ensuring coordination of the work carried out under their respective mandates,

Noting the work of the Subsidiary Committee of the Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property on operational guidelines for the implementation of that Convention,

Affirming that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Alarmed by the destruction of cultural heritage perpetrated recently by organized criminal groups and terrorist groups, which is linked to trafficking in cultural property in some countries,

Recognizing the criminal nature of trafficking in cultural property and its grave and detrimental impact on the cultural heritage of humankind,

1. *Encourages* Member States to effectively combat trafficking in cultural property and, if they have not yet done so, to consider acceding to the aforementioned international instruments;

2. *Strongly encourages* Member States to take into account the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences[93] in the development and strengthening of their relevant policies, strategies, legislation and cooperation mechanisms;

3. *Invites* Member States to foster international cooperation and intelligence-sharing with respect to the transnational crime of trafficking in cultural property and the challenges involved in combating it, and with respect to good practices achieved, affording the broadest possible international collaboration in that regard;

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[90] Ibid., vol. 249, No. 3511.
[91] Ibid., vol. 2253, No. 3511.
[92] A/CONF.222/17, chap. I, resolution 1.
[93] General Assembly resolution 69/196, annex.

4. *Requests* Member States to further the prevention of such crime by creating awareness-raising and information campaigns that include the participation of the media and information on the theft, looting and pillaging of cultural property, and to strengthen educational systems in order to create public awareness of the value of cultural heritage;

5. *Invites* Member States to continue collecting and sharing solid and comparable data on the various aspects of trafficking in cultural property, including its links with transnational organized crime and the illicit proceeds it generates;

6. *Calls upon* Member States to further the protection of cultural property against trafficking, where necessary developing and enacting appropriate legislation that establishes, inter alia, procedures consistent with their legal systems for the confiscation, recovery and return of such property, and implementing appropriate security measures such as strengthening the capacities and human resources of monitoring institutions, such as the police and customs services, and of the tourism sector;

7. *Urges* Member States to continue to inform the United Nations Office on Drugs and Crime of technical assistance needs, such as those relating to training programmes and legislative drafting assistance, in order to more effectively prevent and combat trafficking in cultural property, and requests the Office to continue to appropriately respond to those requests, bearing in mind the work of relevant international organizations such as the United Nations Educational, Scientific and Cultural Organization and INTERPOL;

8. *Invites* Member States to continue to submit written comments to the United Nations Office on Drugs and Crime with their views on the potential utility of and improvements to the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[94] as well as relevant international standards and principles, taking into consideration, when possible, the International Guidelines in this regard;

9. *Reaffirms* the importance of a practical assistance tool to assist in the implementation of the International Guidelines, and requests the Office to continue to work toward the elaboration of this tool, where appropriate, in consultation with Member States, taking into account the technical background document developed for the elaboration of the International Guidelines and the comments made by Member States;

10. *Urges* Member States to use all relevant instruments developed by the United Nations Office on Drugs and Crime and the United Nations Educational, Scientific and Cultural Organization, as well as relevant tools and databases developed by the competent international entities, such as INTERPOL, the International Institute for the Unification of Private Law, the World Customs Organization and other entities such as the International Council of Museums, in the fight against trafficking in cultural property;

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[94] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1, annex.

11. *Encourages* Member States to deepen their understanding of the above-mentioned links, outlined in the preamble of this resolution, between the destruction of cultural heritage and the trafficking in cultural property, in order to strengthen crime prevention and criminal justice responses to such crimes;

12. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes outlined in the present resolution, in accordance with the rules and procedures of the United Nations;

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session on the implementation of the present resolution.

Decision 24/1

Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

At its 7th meeting, on 21 May 2015, the Commission on Crime Prevention and Criminal Justice decided to transmit the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute on the major activities of the Institute (E/CN.15/2015/12) to the Economic and Social Council, in accordance with article IV, paragraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex).

Chapter II

Strategic management, budgetary and administrative questions

5. At its 2nd meeting, on 18 May 2015, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

"(a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

"(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;

"(c) Working methods of the Commission;

"(d) Staff composition of the United Nations Office on Drugs and Crime and other related matters."

6. For its consideration of agenda item 3, the Commission had before it the following:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2015/2-E/CN.15/2015/2);

(b) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2015/6-E/CN.15/2015/6);

(c) Report of the Secretariat on the implementation of resolutions and decisions relating to crime prevention and criminal justice since 2012 in which action by the United Nations Office on Drugs and Crime was requested (E/CN.15/2015/11 and Corr.1);

(d) Conference room paper on the working methods of the Commission on Crime Prevention and Criminal Justice (E/CN.15/2015/CRP.1).

7. Introductory statements were made by the Director of the Division for Management and the Chief of the Secretariat to the Governing Bodies of the United Nations Office on Drugs and Crime (UNODC). The representative of Spain, in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, made an introductory statement.

8. Under agenda item 3, statements were made by the representatives of Italy, Thailand, the Republic of Korea, China, Brazil, Canada, Norway and the United States of America. Statements were also made by the observers for Croatia, Sweden, Romania and India.

A. Deliberations

9. Speakers expressed gratitude to the Government of Qatar for having successfully hosted the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, welcomed the adoption of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[95] and reaffirmed their commitment to strengthening and integrating crime prevention and criminal justice into the broader United Nations agenda, including in the post-2015 development agenda. Speakers expressed support for the role and expertise of UNODC in this regard and urged UNODC to continue its work in close coordination with other agencies of the United Nations system and other relevant organizations.

10. Appreciation was expressed for the work of UNODC in assisting Member States in their deliberations on the sustainable development goals. Speakers highlighted the need to create effective partnerships within and outside the United Nations system to help Member States to achieve the ambitious targets set out in proposed goal 16 of the Open Working Group of the General Assembly on Sustainable Development Goals (A/68/970). Reference was made to the key role played by UNODC in collecting data that could be used in reviewing progress towards the achievement of the sustainable development goals and UNODC was encouraged to continue its efforts to assist Member States in this regard.

11. The need was stressed for continued support for the United Nations Convention against Transnational Organized Crime,[96] the United Nations Convention against Corruption[97] and the universal legal instruments against terrorism. Reference was made to the situation of smuggled migrants in the Mediterranean and the need to ensure full implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.[98] It was noted that an important tool for improving the implementation of the Protocol would be a systematic and effective review of the implementation of the Organized Crime Convention and the Protocols thereto. Reference was also made to the threats posed by counterfeiting and its links to other forms of transnational crime, and by illicit trafficking in cultural property.

12. Many speakers expressed appreciation for the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC and its role as a useful platform for exchanging information and enhancing cooperation on programmatic and financial matters between Member States and UNODC. They also expressed their support for the extension of its mandate. Several speakers noted the valuable contribution of the working group to enhancing transparency and accountability, and to promoting a culture of evaluation.

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[95] A/CONF.222/17, chap. I, resolution 1.
[96] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[97] Ibid., vol. 2349, No. 42146.
[98] Ibid., vol. 2241, No. 39574.

13. The increase in special-purpose contributions was welcomed as a sign of the continued confidence of donors in the work of the Office, while concern was expressed over the decline in general-purpose resources. Reference was made to the future evolution of the financial situation of UNODC, and speakers called for the Fifth Committee of the General Assembly to consider an improved budgetary pattern for the Office.

14. Most speakers who referred to the full cost recovery model welcomed its implementation as an instrument for increased transparency and sustainability and called for continued evaluation of its impact on programme delivery. Speakers recalled the provisional basis of full cost recovery and the need to review its feasibility, and stressed the importance of its consistent and transparent implementation. Speakers expressed the view that the use of the programme support cost funds should not be limited to United Nations Headquarters and that their flexible application should be explored.

15. Reference was made to the importance of UNODC staying competitive by maintaining low overhead costs. Cost-saving measures should be continued and further information should be provided on cost efficiencies, both in the field offices and at UNODC headquarters.

16. Several speakers welcomed the inclusion of the item on the staff composition of UNODC and other related matters as a standing item on the agenda of the Commission and requested that, in the future, disaggregated information on the staff composition of UNODC at the Professional and management levels be provided in writing. Speakers noted that, although progress had been made, there was a continuing need to improve geographical representation and gender balance, particularly at the senior and policymaking levels and for posts in the Professional category requiring specific skills. They urged UNODC to take appropriate action by making additional efforts in that regard. One speaker called for an immediate action plan to ensure equal gender representation.

17. Several speakers underscored the need for constant improvement in results-based management within UNODC and commended the efforts of the Office to report on programme-level results. Welcoming the ongoing development of the annual report and annual appeal of UNODC, speakers expressed the hope that, along with the ongoing institutionalization of a culture of evaluation, those documents would lead to a clearer strategic narrative that could provide a holistic picture of the achievements of the Office at headquarters and in the field. Some speakers also mentioned the need for defining robust indicators and for ensuring that the programmes of the Office be based on the rule of law and the full and consistent application of United Nations policies and guidelines in the area of human rights.

18. With regard to the working methods, some speakers noted that the number of resolutions for consideration by the Commission at any given session should not be limited. It was stressed that maintaining the firm deadline for the submission of draft resolutions pursuant to decisions adopted by the Commission at past sessions presented benefits in terms of constructive deliberations. Appreciation was expressed to UNODC for the yearly reports prepared on the standing items on the Commission's agenda, whose content was essential to supporting the Commission's deliberations; it was noted that they should continue to be prepared and made

available to the Commission in the future. At the same time it was noted that Member States should give serious consideration to the number and frequency of reporting obligations, and that if additional reporting obligations were required, consideration should be given to whether such obligations could be fulfilled through existing reports. Reference was also made to the need for the full utilization of interpretation resources during day sessions of the Commission. It was proposed that the working methods of the Commission be discussed again at its twenty-fifth session.

19. Some speakers expressed concern regarding the model legislative provisions to combat fraudulent medicines posing threats to public health, referred to in paragraph 32 of the report of the Executive Director on the activities of the Office (E/CN.7/2015/2-E/CN.15/2015/2). One speaker noted that the information on that activity, as provided by UNODC through a note verbale following the fifty-eighth session of the Commission on Narcotic Drugs, did not include the full details of its funding, the process of selection of experts and its current status. It was also noted that there was no clear, standardized definition of fraudulent medicines at the international level and that a debate on the subject should take place in the context of the World Trade Organization and the World Health Organization, including under the latter organization's member States mechanism on substandard/spurious/falsely labelled/falsified/counterfeit medical products. It was noted that there was no clear mandate on this subject, that greater attention should be paid to concerns expressed by Member States and that UNODC should refrain from further action until all Member States are fully informed and consulted.

B. Action taken by the Commission

20. At its 9th meeting, on 22 May 2015, the Commission adopted a draft resolution (E/CN.15/2015/L.2) sponsored by Iran (Islamic Republic of), Slovenia, Spain[99] and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. D, resolution 24/1.)

21. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a draft decision (E/CN.15/2015/L.3) sponsored by Iran (Islamic Republic of), Slovenia, Spain[100] and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. C, draft decision I.) Prior to the recommendation of the draft decision, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.)

[99] After the closure of the session, on 1 June 2015, the Secretariat received a note verbale from Spain indicating its co-sponsorship of this resolution.

[100] After the closure of the session, on 1 June 2015, the Secretariat received a note verbale from Spain indicating its co-sponsorship of this draft decision.

Chapter III

Thematic discussion on follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

22. At its 3rd and 4th meetings, on 19 May 2015, the Commission considered agenda item 4, entitled "Thematic discussion on follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice". The discussion focused on the following sub-themes:

(a) From Doha to New York: contribution of the Thirteenth Congress to the discussions on the post-2015 development agenda;

(b) Implementing the Doha Declaration: paving the way to Japan.

23. For its consideration of agenda item 4, the Commission had before it the following:

(a) Note by the Secretariat transmitting the outcome of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2015/7);

(b) Proposal by the Chair on the sub-themes of the thematic discussion at the twenty-fourth session of the United Nations Commission on Crime Prevention and Criminal Justice (E/CN.15/2015/CRP.2).

24. The prominent theme for the twenty-fourth session of the Commission had been chosen in accordance with Economic and Social Council decision 2014/230. In view of a request received from the President of the Economic and Social Council, the Commission, at its intersessional meeting held on 6 February 2015, endorsed the recommendation of the extended Bureau that, during its thematic discussion, the Commission should consider matters related to the Economic and Social Council, including the input concerning the theme for the Council's 2015 session, namely "Managing the transition from the Millennium Development Goals to the sustainable development goals: what it will take".

25. The thematic discussion on item 4 was presided over by the Chair and led by the following panellists: Vongthep Arthakaivalvatee (Thailand), Rogelio Donadio (Panama), Lucie Angers (Canada), Slawomir Redo (Academic Council on the United Nations System (ACUNS)), Terutoshi Yamashita (Japan), José Andrés Francisco Tinajero Mullo (Ecuador), Virginia Prugh (United States) and Michael Platzer (ACUNS, Chair of the Vienna NGO Alliance on Crime Prevention and Criminal Justice).

26. The Chair made an introductory statement. An introductory statement was also made by the Officer-in-Charge of the Division for Treaty Affairs. A statement was made by the Federal Minister of Justice of Austria. Statements were made by the representatives of Germany, Eritrea, Belarus, China, Indonesia, Saudi Arabia, Nigeria, United States, El Salvador, Japan, Brazil and the Republic of Korea. The observers for France, South Africa, the Sudan, Venezuela (Bolivarian Republic of), Iraq, India and Romania also made statements. The observer for the International Anti-Corruption Academy also made a statement.

A. Summary by the Chair

27. The Chair's summary of the salient points, which was not subject to negotiation, is presented below.

From Doha to New York: contribution of the Thirteenth Congress to the discussions on the post-2015 development agenda

28. Many speakers noted that for the first time, in the context of the definition of the sustainable development goals, justice and the rule of law figured prominently in the discussions on the development agenda. The crucial timing of the Thirteenth Congress and the fact that it had given direction to the work in the area of crime prevention and criminal justice for the next five years and beyond was also highlighted.

29. A number of speakers referred to the need to integrate efforts by UNODC, and those of all entities of the United Nations system, in the post-2015 development agenda and to the need for the Commission to enhance its engagement with the Economic and Social Council and the Council's other functional commissions, in order to identify common areas of work in the field of crime prevention and criminal justice. Several speakers noted that greater focus should be placed on the strong and mutually reinforcing link between the rule of law and sustainable development.

30. The importance was noted of identifying elements of the Doha Declaration that could be conceptually linked with the corresponding sustainable development goals. In that regard, it was suggested that Member States could use the report of the Thirteenth Congress and the Doha Declaration in preparation for and at the United Nations summit for the adoption of the post-2015 development agenda, to be held in September 2015, and that the outcome of the Congress needed to be appropriately conveyed to the Economic and Social Council and the General Assembly, as well as reflected in the sustainable development goals framework.

31. Many speakers noted the valuable role of the United Nations Office on Drugs and Crime in assisting Member States with the implementation of the post-2015 development agenda and the Doha Declaration, in particular through capacity-building and technical assistance.

Implementing the Doha Declaration: paving the way to Japan

32. Many speakers stressed that the Doha Declaration demonstrated the shared responsibility of Member States in preventing and addressing crime and ensuring that crime prevention and criminal justice systems were effective, fair, humane and accountable, in order to promote and foster a culture of lawfulness.

33. Speakers noted that the Doha Declaration provided the international community with a road map to the Fourteenth Congress, to be held in Japan, and emphasized the role of UNODC, other United Nations entities and all relevant stakeholders in the implementation of the Doha Declaration. In that regard, a few speakers referred to the need to continuously evaluate and assess the progress made in implementing the Doha Declaration, with a view to achieving the desired impact by 2020.

34. The importance of strengthening regional and international cooperation, including in the framework of the Commission on Crime Prevention and Criminal Justice, was highlighted in the lead-up to 2020. In that regard, reference was made to the Doha Declaration, which reflected various areas of international cooperation.

35. The need to promote and integrate gender and youth perspectives in national crime prevention and criminal justice policies was emphasized. Furthermore, some speakers noted that comprehensive, participatory and multidisciplinary policies and programmes were crucial to effectively address crime and promote the rule of law.

36. Some speakers emphasized that universal access to education was fundamental for effective crime prevention and criminal justice and for fostering a culture of lawfulness. In that regard, the Doha Youth Forum on Crime Prevention and Criminal Justice was recognized by some speakers as a valuable initiative to educate and involve youth. Others highlighted the substantive contributions made by expert participants and non-governmental organizations.

37. The importance of crime prevention activities, including social policies, as well as the need for continued research on crime prevention and criminal justice, was highlighted.

B. Workshop on the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice: implementation of the Doha Declaration

38. The first meeting of the Committee of the Whole, on 18 May 2015, was devoted to a workshop on the theme "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice: implementation of the Doha Declaration", organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the Third Vice-Chair of the Commission and moderated by the Deputy Director of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, a member of the United Nations crime prevention and criminal justice programme network.

39. An opening statement was made by a representative of the Secretariat. Presentations were made by panellists from the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (Sweden), the European Institute for Crime Prevention and Control (Finland), the International Scientific and Professional Advisory Council (Italy), the Korean Institute of Criminology (Republic of Korea), the International Centre for Criminal Law Reform and Criminal Justice Policy (Canada), the Australian Institute of Criminology, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (Japan) and the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders (Costa Rica). During the discussion, statements were made by the representatives of Canada, Saudi Arabia, the United States and Qatar and the observer for Finland. A closing statement was made by the Third Vice-Chair of the Commission.

Chapter IV

Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice

40. At its 5th, 6th and 7th meetings, on 20 and 21 May 2015, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which read as follows:

> "Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice:
>
> "(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
>
> "(b) Ratification and implementation of the United Nations Convention against Corruption;
>
> "(c) Ratification and implementation of the international instruments to prevent and combat terrorism;
>
> "(d) Other crime prevention and criminal justice matters;
>
> "(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies."

41. For its consideration of item 5, the Commission had before it the following documents:

(a) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2015/3);

(b) Report of the Secretary-General on assistance in implementing the international conventions and protocols related to terrorism (E/CN.15/2015/4);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2015/10);

(d) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2015/12);

(e) Note by the Secretary-General on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2015/18).

42. Introductory statements were made by the Chief of the Organized Crime and Illicit Trafficking Branch, the Officer-in-Charge of the Division for Treaty Affairs, the Chief of the Terrorism Prevention Branch and the Chief of the Human Trafficking and Migrant Smuggling Section. The Director of the Division for

Management made an oral report on the implementation of Commission resolution 23/3, entitled "Strengthening the development and implementation of the goAML system as a useful tool in implementing the United Nations crime prevention and criminal justice programme".

43. A statement was made by the observer for Latvia (on behalf of the European Union and Albania, Andorra, Bosnia and Herzegovina, Iceland, Montenegro, Norway, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine). Statements were made by the representatives of the Republic of Korea, El Salvador, Belarus, Thailand, Canada, the United States, China, Switzerland, Kenya, Morocco, Brazil, Norway, Indonesia and Japan. The observers for Costa Rica, Viet Nam, Venezuela (Bolivarian Republic of), Cuba, Croatia, Sri Lanka, Algeria, Iraq, Romania, Tunisia, Afghanistan, the Sudan, Kazakhstan, Austria, Spain, Panama, France, Honduras, the Syrian Arab Republic, Armenia and Turkey also made statements.

44. The observers for the League of Arab States and the Sovereign Military Order of Malta also made statements. Statements were also made by the observers for the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (on behalf of the institutes of the United Nations crime prevention and criminal justice programme network), the Latin American Institute for the Prevention of Crime and the Treatment of Offenders and the International Centre for Criminal Law Reform and Criminal Justice Policy.

A. Deliberations

1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

45. Several speakers welcomed the high numbers of ratifications of the Organized Crime Convention and the Protocols thereto and called on States to strengthen their efforts to fully and effectively implement those instruments. The importance of regional and international cooperation in combating organized crime in all its forms was emphasized. Strong support was expressed for the work of the Commission, and many speakers expressed appreciation and support for the technical assistance activities of UNODC and the tools developed by UNODC.

46. Several speakers expressed support for the establishment of a mechanism to review the implementation of the Convention and its Protocols, including with a view to identifying the technical assistance needs of States, and referred to continuing discussions in the context of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. Different views were expressed regarding the form that such a mechanism would take. Some speakers noted, in that regard, that the issues of participation by civil society and funding for the mechanism remained to be addressed.

47. Other issues of particular concern highlighted by speakers included trafficking in persons, smuggling of migrants, cybercrime, illicit trafficking in cultural

property, corruption, money-laundering, illicit drug trafficking and the financing of terrorism.

2. Ratification and implementation of the United Nations Convention against Corruption

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption

48. Speakers reiterated the full commitment of their countries to implementing the United Nations Convention against Corruption and its Implementation Review Mechanism, which had created valuable information and a basis for national reforms. Speakers shared the reform efforts of their countries, including those based on recommendations adopted during country reviews. Speakers highlighted that the experiences and lessons learned from the first review cycle needed to be taken into account for the second cycle. Some speakers stressed the important role of civil society in the review of the implementation of the Convention.

49. Further, special importance was given to enhancing international cooperation for the purpose of asset recovery. Several speakers welcomed the technical assistance for the implementation of the Convention provided by UNODC and the joint World Bank/UNODC Stolen Asset Recovery (StAR) Initiative.

3. Ratification and implementation of the international instruments to prevent and combat terrorism

50. Several speakers commended the Terrorism Prevention Branch of UNODC for providing legal and capacity-building assistance to Member States aimed at strengthening national criminal justice systems to prevent and counter terrorism.

51. A number of speakers expressed concern at the ongoing and emerging terrorist threats, including threats related to the phenomenon of foreign terrorist fighters, the financing of terrorism, the growing links between terrorism and transnational organized crime, the use of the Internet for terrorist purposes, violent extremism and radicalization, trafficking in cultural property and kidnapping for ransom.

52. Speakers called on UNODC to further enhance its provision of technical assistance in those thematic areas and further support Member States in strengthening international cooperation in criminal matters related to terrorism. Donor States were called upon to increase their financial contributions to UNODC.

4. Other crime prevention and criminal justice matters

53. Speakers highlighted the importance of cooperation at the regional and international levels between countries of origin, transit and destination, including through existing mechanisms such as those for extradition and mutual legal assistance, as well as the importance of effective law enforcement, in addressing human trafficking and migrant smuggling.

54. Several speakers expressed appreciation for the technical assistance provided by UNODC to enhance the capacity of Member States to address those crimes. Reference was made to the importance of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and to the

information-sharing facilitated by UNODC through the Voluntary Reporting System on Migrant Smuggling and Related Conduct in support of the Bali Process and the UNODC case law database on trafficking in persons. It was stressed that there was a need to continue efforts to regulate the area of recruitment fees for labourers and to strengthen the examination of travel and identity documents in order to counter trafficking in persons and the smuggling of migrants, and support was expressed for the work of UNODC in that regard.

55. It was noted that financial intelligence units worldwide were dependent on effective, secure and up-to-date information technology systems. The goAML system was considered to be a useful tool in implementing the United Nations crime prevention and criminal justice programme, and it had enhanced efforts to combat money-laundering, corruption and organized crime and had strengthened regional and international cooperation. Speakers took note of the report of the Office of Internal Oversight Services entitled "Audit of the United Nations Office on Drugs and Crime Intelligence and Law Enforcement Systems project" and noted the follow-up to its recommendations carried out by the Secretariat. The importance of continued UNODC support for the development and maintenance of goAML was stressed. UNODC was requested to provide additional information about the implementation of the recommendations of the Office of Internal Oversight Services.

5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

56. The important work of the institutes comprising the United Nations crime prevention and criminal justice programme network, including preparations for the Thirteenth Congress, the provision of training courses for criminal justice personnel and the organization of thematic meetings, as well as their contributions to the work of UNODC, was emphasized.

57. The importance of policy-oriented and criminal justice research conducted by the institutes was highlighted. It was noted that many of the issues mentioned in the Doha Declaration were linked to the broader United Nations development agenda. Reference was made to the important role of civil society in the deliberations of the Commission and, more generally, the implementation of the United Nations crime prevention and criminal justice programme.

B. Action taken by the Commission

58. At its 9th meeting, on 22 May 2015, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2015/L.7/Rev.1), as orally amended, sponsored by Andorra, Australia, Austria, Egypt, Japan, Kenya, Libya, Morocco, Nigeria, the Russian Federation, Saudi Arabia, Tunisia and the United States. (For the text, see chap. I, sect. A, draft resolution IV.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.) Upon

the recommendation of the revised draft resolution, the observer for Egypt invited UNODC to act speedily in implementing the recommended draft resolution, once adopted, in order to complement its efforts made in the past years, in view of the increasing importance of the technical assistance that it had been providing to Member States in the field of countering terrorism and implementing the international instruments relating to countering terrorism. The observer for Cuba provided the following explanation of position: his country condemned all acts of terrorism, committed anywhere in the world, against anyone, for whatever motive, and, at the same time, acknowledged the role played by UNODC in the provision of technical assistance to all Member States that so required it in the application of policies to combat terrorism. He also noted that the proper balance had not been maintained in the revised draft resolution, that his delegation understood the impact of the new forms of terrorism and the threats implied thereby, and that it was important to retain a general reference to terrorism in all its forms and manifestations and not to refer to any specific resolution of the Security Council. The representative of Ecuador noted, in relation to technical assistance for implementing the international conventions and protocols relating to counter-terrorism, that consideration should be given to the mandate of the Commission, and acknowledged the new dimensions, trends and realities that were emerging with respect to transnational organized crime. He also noted his Government's concern that the international agenda tended to introduce the issue of security in topics related to crime prevention and criminal justice, whereas the specific mandate was, inter alia, to combat crime, with a specific focus on prevention, international legislation, the provision of assistance and international cooperation. He stated that excessive security-centred considerations should be set aside and that counter-terrorism efforts should derive from the relevant international conventions and international cooperation, in the context of comprehensive approaches to combating transnational organized crime. He noted that his Government considered it a very complex issue to import text from the Security Council to the present forum, that it was important to have more effective international cooperation, which supported national efforts, on the basis of the principle of shared responsibility of all States and in strict compliance with international law and the purposes and principles of the Charter of the United Nations, with particular reference to the sovereignty of States and non-interference in their domestic matters and full respect for their territorial integrity. The representative of the Islamic Republic of Iran put on record his delegation's position that the reference to Security Council resolutions in the recommended draft resolution should not set a precedent for the Commission, especially given the technical and complicated nature of its mandates. The observer for Iraq stated that he understood the concerns raised by some delegations regarding terrorism and its nexus with organized crime, as well as other issues, such as the Security Council resolutions. The observer for Iraq noted that his delegation wished to highlight the grave danger faced by his country in countering terrorism and that the Security Council resolutions were referred to in the context of international cooperation and collaboration in relation to the recent phenomenon of foreign terrorist fighters, to which no country was immune. The observer for Iraq also called upon delegations to take decisive measures in responding to this phenomenon and urged UNODC to step up and enhance its technical assistance to concerned countries, while also expressing appreciation for the Office's support to national experts in countering terrorism through workshops and technical assistance. He also noted that Iraq had

stepped back from the threshold of some elements in the revised draft resolution for the sake of consensus and expressed the hope that the recommended draft resolution would be a solid and durable stepping stone towards more effective technical assistance measures. The representative of Morocco stated that his delegation would have liked to have achieved more on the issue of foreign terrorist fighters, but joined the consensus in the spirit of compromise, and expressed the hope that it would be possible to build on the recommended draft resolution in the framework of future work within the Commission and other forums.

59. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution (E/CN.15/2015/L.4/Rev.1), as orally amended, sponsored by Belarus, Brazil, Bolivia (Plurinational State of), Costa Rica, Cuba, the Dominican Republic, Ecuador, Eritrea, Guatemala, Indonesia, Nicaragua, Nigeria, the Philippines, the Russian Federation, Thailand, Turkey, Venezuela (Bolivarian Republic of) and the United States. (For the text, see chap. I, sect. B, draft resolution I.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.) Upon the recommendation of the revised draft resolution, the representative of Belarus expressed his appreciation to all the delegations that had facilitated the agreement on and the recommendation of the revised draft resolution and expressed the hope that its implementation would make a contribution to ending modern-day slavery.

60. At its 7th meeting, on 21 May 2015, the Commission decided to transmit to the Economic and Social Council the note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2015/12), which had been prepared pursuant to a decision of the Board of Trustees of the Institute taken at its meeting held on 13 and 14 November 2014, in order to report to the Economic and Social Council, through the Commission, in accordance with article 4, paragraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex). (See chap. I, sect. D, decision 24/1.)

61. At the same meeting, the Commission unanimously recommended that Christine M. Cline (United States) be appointed to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute. (See chap. I, sect. C, draft decision III.)

Chapter V

Use and application of United Nations standards and norms in crime prevention and criminal justice

62. At its 7th and 8th meetings, on 21 May 2015, the Commission considered agenda item 6, entitled "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/2015/49 and Corr.1);

(b) Report of the Secretary-General on use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2015/8 and Corr.1);

(c) Note by the Secretariat transmitting the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2015/9);

(d) Report of the Secretary-General on the outcome of the open-ended intergovernmental expert group on gender-related killing of women and girls (E/CN.15/2015/16);

(e) Report of the Secretary-General on the outcome of the meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners held in Cape Town, South Africa, from 2 to 5 March 2015 (E/CN.15/2015/17);

(f) Reply by the United States of America to the ninth survey on capital punishment and on the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, covering the period 2009-2013 (Sections 3 and 4) (E/CN.15/2015/CRP.3).

63. The Director of the Division for Operations of UNODC made an introductory statement. A statement was made by the observer for Latvia (on behalf of the European Union and Albania, Andorra, Armenia, Bosnia and Herzegovina, Iceland, Liechtenstein, Montenegro, Norway, the Republic of Moldova, San Marino, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine). Statements were made by the representatives of Germany, Brazil, Thailand, Canada, Switzerland, Norway, the United States, the Republic of Korea, Indonesia and China. Statements were also made by the observers for Romania, Algeria, the Netherlands, South Africa and Venezuela (Bolivarian Republic of).

64. Statements were also made by the observers for the International Federation of Red Cross and Red Crescent Societies, Penal Reform International and the Friends World Committee for Consultation.

A. Deliberations

65. Speakers emphasized the value of the United Nations standards and norms in crime prevention and criminal justice as benchmarks for an efficient administration of justice grounded in human rights. They informed the Commission about recent criminal justice reform initiatives undertaken in their countries, in many cases with the support and assistance of UNODC.

66. Speakers welcomed as an historic achievement the completion of the work of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners and supported the endorsement by the Commission and subsequent adoption by the General Assembly of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules). They stressed that the revised Rules would better safeguard the human rights and dignity of prisoners, referring in particular to the rules on protection against torture, and on prison health care, searches and disciplinary measures. Many speakers emphasized the need for prison reform, also stressing the importance of reducing recidivism through social reintegration and rehabilitation, especially for young offenders.

67. Many speakers welcomed the overall trend towards abolition or restriction of the use of capital punishment, as reflected in the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of rights of those facing the death penalty (E/2015/49 and Corr.1). Concern was expressed, however, that the death penalty continued to be applied in a number of countries and in some cases without due consideration of the safeguards, including those concerning the limitation of capital punishment to the "most serious crimes" and the protection of vulnerable members of society. While several speakers supported the recommendations contained in the report of the Secretary-General, for action by the Economic and Social Council, a view was expressed that the national context did not allow for the abolition of capital punishment and that the impact on victims and their families should be considered. Several speakers highlighted national efforts to restrict the use of the death penalty.

68. The primary importance of preventing and addressing violence, especially against women and girls and against children, was stressed, and the work of UNODC in that area was commended. Speakers welcomed the recommendations of the open-ended intergovernmental expert group on gender-related killing of women and girls, which provided useful guidance for national authorities.

B. Action taken by the Commission

69. At its 9th meeting, on 22 May 2015, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2015/L.6/Rev.1) sponsored by Argentina, Bolivia (Plurinational State of), Brazil, Canada, Chile, the Dominican Republic, Japan, Latvia (on behalf of the European Union), Ecuador, El Salvador, Lebanon, Liechtenstein, Mexico, Nicaragua, Norway, Panama, Paraguay, Serbia, South Africa, Switzerland, Thailand, the United States and Uruguay. (For the text, see chap. I, sect. A, draft resolution II.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the

text, see E/CN.15/2015/CRP.6, available on the UNODC website.) Upon the recommendation of the revised draft resolution, the representative of the Islamic Republic of Iran put on record an explanation of position regarding the revised draft resolution, noting that the Islamic Republic of Iran would consider the guidance provided by the Mandela Rules for the purposes of development and implementation of policies and strategies in prison management and the treatment of prisoners, in accordance with national laws and regulations. The representative also requested that the reservation of the Islamic Republic of Iran regarding some parts of the Rules, annexed to the revised draft resolution, specifically rule 7 (a), be recorded.

70. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2015/L.8/Rev.1) sponsored by Andorra, Argentina, Australia, Brazil, Canada, Chile, Costa Rica, the Dominican Republic, El Salvador, Latvia (on behalf of the European Union), Mexico, Norway, Panama, the Philippines, the Republic of Korea, Thailand and Turkey. (For the text, see chap. I, sect. A, draft resolution III.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.)

Chapter VI

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

71. At its 8th meeting, on 21 May 2015, the Commission considered agenda item 7, which read "World crime trends and emerging issues and responses in the field of crime prevention and criminal justice".

72. For its consideration of item 7, the Commission had before it the following:

(a) Report of the Executive Director on the activities of UNODC (E/CN.7/2015/2-E/CN.15/2015/2);

(b) Note by the Secretariat transmitting the report of the Secretary-General on the state of crime and criminal justice worldwide (E/CN.15/2015/5);

(c) Note by the Secretariat transmitting the report of UNODC on the international classification of crime for statistical purposes (E/CN.15/2015/13);

(d) Note by the Secretariat transmitting the report of the National Institute of Statistics and Geography of Mexico and UNODC on crime statistics (E/CN.15/2015/14);

(e) Report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.222/4);

(f) Outcome of the expert group meeting on timber analysis (10-12 December 2014) (E/CN.15/2015/CRP.4);

(g) Non-paper submitted by Brazil reflecting its views on the issue of cybercrime (E/CN.15/2015/CRP.5).

73. A representative of the Research and Trend Analysis Branch of the Division for Policy Analysis and Public Affairs made an introductory statement. The Chief of the Sustainable Livelihoods Unit of UNODC made an oral report on the implementation of Economic and Social Council resolution 2013/40.

74. Statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, El Salvador, Japan, Thailand, Brazil, Canada, Indonesia, the United States, Mexico and China. Statements were also made by the observers for Romania, the Sudan, Azerbaijan, France and India.

75. A statement was also made by the observer for Penal Reform International.

A. Deliberations

76. Several speakers welcomed the recent endorsement by the Statistical Commission of the International Classification of Crime for Statistical Purposes as a historic landmark in the ongoing efforts to strengthen the capacity of States to collect comparable and reliable data. They encouraged UNODC, as the custodian of the Classification, to provide technical assistance and methodological guidance on its implementation at the national and international levels.

77. A number of speakers also expressed their continued support for the efforts of UNODC to collect statistics on crime and criminal justice through its annual United Nations Survey of Crime Trends and Operations of Criminal Justice Systems and to disseminate the data through its official website. In that context, several speakers referred to the value of reliable and comparable data for the development of evidence-based crime prevention and criminal justice policies and for the monitoring of such policies and their outcomes in the framework of proposed sustainable development goals 5 and 16 and the discussions on the post-2015 development agenda. Reference was also made to UNODC expertise as a technical resource to be used in the selection of indicators to monitor the sustainable development goals.

78. Speakers expressed concern regarding the increasing misuse of information and communications technologies and the Internet by organized crime groups carrying out new and emerging forms of crime. Particular concern was expressed in relation to online child abuse and exploitation, illicit drug trafficking through the Internet and the use of the Internet for terrorist purposes, for trafficking in persons and for the smuggling of migrants.

79. Many speakers reported on recent efforts by their Governments to combat cybercrime through preventive, legislative, cybersecurity and law enforcement measures. Most speakers underlined that international and regional cooperation, including mutual legal assistance and law enforcement cooperation, were the most effective ways of combating cybercrime, and recalled the text of the Doha Declaration in that regard.

80. Support was expressed for technical assistance and capacity-building activities aimed at strengthening the abilities of national law enforcement and judiciary authorities to effectively investigate and prosecute cybercrime, including through the proper handling of electronic evidence. Some speakers expressed support for the role of UNODC and the Global Programme on Cybercrime in carrying out such activities.

81. Some speakers expressed the view that a comprehensive new international legal instrument was needed in order to effectively combat cybercrime. One speaker proposed that such an instrument should focus on relevant aspects of criminal procedure law. Other speakers expressed the view that a new international legal instrument was not necessary, but rather that States should focus on effectively implementing existing instruments, including the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Cybercrime,[101] and on identifying national technical assistance needs. Some speakers looked forward to continuing the work of the Expert Group to Conduct a Comprehensive Study on Cybercrime and to considering further the UNODC comprehensive study on cybercrime.

82. Regarding fraudulent medicines it was noted that the issue involved primarily sanitary and public health aspects and therefore the appropriate international forum to discuss this topic was the World Health Organization, in particular its member States mechanism on substandard/spurious/falsely labelled/falsified/counterfeit medical products. On the other hand, reference was also made to efforts by UNODC

[101] Council of Europe, *European Treaty Series*, No. 185.

to implement Commission resolution 20/6 and to the Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health.[102]

83. The adoption of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences[103] by the General Assembly was welcomed. Some speakers noted that transnational organized crime often occurred where the rule of law was weak, especially in conflict and post-conflict settings. Some speakers noted that the post-2015 development agenda should take into account matters such as the rule of law, good governance and human rights.

84. Some speakers highlighted that wildlife and forest crime was linked to transnational organized crime and affected not only countries but also entire regions. Wildlife and forest crime was also linked to other crimes, such as money-laundering, smuggling of migrants and drug trafficking. Some speakers described the actions undertaken to strengthen national legislation and law enforcement responses. Marine living resources were highlighted as a cross-cutting issue affecting sustainable economic and social development and the political stability of States that relied on fishing. It was also stressed that the depletion of fish stocks, as a result of illegal fishing, was seen as a crime that should be dealt with in a comprehensive and holistic manner.

B. Action taken by the Commission

85. At its 9th meeting, on 22 May 2015, the Commission adopted a revised draft resolution (E/CN.15/2015/L.9/Rev.1) sponsored by Argentina, Bolivia (Plurinational State of), Chile, China, Colombia, Costa Rica, the Dominican Republic, Egypt, El Salvador, Guatemala, Indonesia, Iran (Islamic Republic of), Italy, Kenya, Mexico, Nigeria, Panama, Peru, the Russian Federation, Saudi Arabia, Turkey and the United States. (For the text, see chap. I, sect. D, resolution 24/2.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.) Upon the adoption of the revised draft resolution, the representative of Mexico thanked all the delegations and the co-sponsors for their support, referred to the Operational Guidelines for the Implementation of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970, adopted by the Meeting of States parties to that Convention, and noted the complementary nature of the efforts made by the Commission on Crime Prevention and Criminal Justice and by the United Nations Educational, Scientific and Cultural Organization in providing responses to trafficking in cultural property.

86. At the same meeting, the Commission recommended the adoption by the Economic and Social Council of a revised draft resolution (E/CN.15/2015/L.10/Rev.1) sponsored by Argentina, Canada, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Kenya, Latvia (on behalf of the European Union), Mexico, Norway, Panama, Peru, the Philippines, the Republic of Korea, Thailand

[102] Ibid., No. 211.
[103] General Assembly resolution 69/196, annex.

and the United States. (For the text, see chap. I, sect. B, draft resolution II.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.)

Chapter VII

Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

87. At its 8th meeting, on 21 May 2015, the Commission considered agenda item 8, entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice".

88. For its consideration of the item, the Commission had before it the following:

(a) Note by the Secretariat on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2015/7);

(b) Report of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (A/CONF.222/17).

89. An introductory statement was made by the officer-in-charge of the Division for Treaty Affairs of UNODC.

90. Statements were made by the representatives of Qatar, Thailand, Japan, Canada, the United States and China. The observer for Finland also made a statement.

A. Deliberations

91. Gratitude was expressed by all speakers to the Government of Qatar for hosting the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice. Speakers commended UNODC for its efforts in preparing and servicing the Congress. Many speakers welcomed the contributions of the institutes of the United Nations crime prevention and criminal justice programme network, as well as the contributions of experts and non-governmental organizations involved in the ancillary meetings. All speakers expressed appreciation to the Government of Japan for its offer to host the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in 2020.

92. Many speakers noted that the Thirteenth Congress was a Congress of many "firsts", and welcomed its forward-looking outcome: the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation.

93. The representative of Qatar highlighted the commitment of Qatar to closely working with UNODC to ensure a proper follow-up to and implementation of the Doha Declaration.

94. Speakers discussed issues related to the organization of the Thirteenth Congress and ways to improve preparations for future congresses, including by adopting a concise and focused declaration and examining the duration

of the congresses. Speakers welcomed the successful completion of negotiations on the Doha Declaration in Vienna, prior to the opening of the Thirteenth Congress, and noted that that practice should be replicated for future congresses.

95. Speakers also welcomed the organization of the high-level segment at the beginning of the Thirteenth Congress, as well as the sequencing of topics and workshops. It was recommended to organize a follow-up expert group meeting on the lessons learned, similar to the meeting of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice, held in Bangkok from 15 to 18 August 2006 and convened by the Government of Thailand, which had hosted the Eleventh United Nations Congress on Crime Prevention and Criminal Justice.

B. Action taken by the Commission

96. At its 9th meeting, on 22 May 2015, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2015/L.5/Rev.1) sponsored by Algeria, Brazil, El Salvador, Eritrea, Finland, Guatemala, Indonesia, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Mexico, Morocco, Oman, Panama, Peru, the Philippines, Qatar, Saudi Arabia, the Sudan, Thailand, Tunisia, Turkey and the United States. (For the text, see chap. I, sect. A, draft resolution I.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2015/CRP.6, available on the UNODC website.)

Chapter VIII

Provisional agenda for the twenty-fifth session of the Commission

97. At its 9th meeting, on 22 May 2015, the Commission considered agenda item 9, entitled "Provisional agenda for the twenty-fifth session of the Commission".

Action taken by the Commission

98. At its 9th meeting, on 22 May 2015, the Commission recommended to the Economic and Social Council the adoption of a draft decision (E/CN.15/2015/L.11). (For the text, see chap. I, sect. C, draft decision II.)

Chapter IX

Other business

99. At its 9th meeting, on 22 May 2015, the Commission considered agenda item 10, entitled "Other business". No issues were raised under the agenda item.

Chapter X

Adoption of the report of the Commission on its twenty-fourth session

100. At its 9th meeting, on 22 May 2015, the Commission adopted by consensus the report on its twenty-fourth session (E/CN.15/2015/L.1 and Add.1-6), as orally amended.

Chapter XI

Organization of the session

A. Informal pre-session consultations

101. At its reconvened twenty-third session, held on 4 and 5 December 2014, the Commission agreed that the twenty-fourth session of the Commission would be held from 18 to 22 May 2015, with informal pre-session consultations to be held on 15 May 2015, the working day preceding the first day of the session.

102. At the informal pre-session consultations, chaired by the First Vice-Chair, Bente Angell-Hansen (Norway), on 15 May 2015, the Commission conducted a preliminary review of the draft resolutions that had been submitted by the deadline of 4 May 2015 and dealt with organizational matters for the twenty-fourth session.

B. Opening and duration of the session

103. The Commission held the part of its twenty-fourth session in the first half of the year in Vienna from 18 to 22 May 2015, during which time there were nine plenary meetings and eight meetings of the Committee of the Whole. The Chair of the Commission opened that part of the session. At the 1st and 2nd meetings, on 18 May 2015, opening statements were made by the Executive Director of UNODC and the observer for Chile (on behalf of the Group of 77 and China); the representative of Namibia (on behalf of the Group of African States); the observer for Jordan (on behalf of the Group of Asia-Pacific States); the observer for Panama (on behalf of the Group of Latin American and Caribbean States) and the observer for Latvia (on behalf of the European Union and Albania, Andorra, Bosnia and Herzegovina, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine, as well as Norway). Statements were also made by the Minister of Justice of Paraguay, the Public Defender General of Ecuador, the Attorney General of Nicaragua, the Special Representative of the President of the Russian Federation for International Cooperation Affairs in Combating Terrorism and Transnational Organized Crime, the Vice-Minister of Justice of China, the Vice-Minister of Public Security of Panama, the Deputy Attorney General for International and Legal Affairs of Mexico, the Legal Advisor of the Minister of Interior of Qatar, the Chief Prosecutor of Jeonju District of the Prosecutor's Office of the Ministry of Justice of the Republic of Korea, the Additional Secretary of the Ministry of Home Affairs of India and the Principal Deputy Assistant Secretary of the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State of the United States.

C. Attendance

104. The twenty-fourth session was attended by representatives of 33 States members of the Commission. Also attending were observers for 81 other States Members of the United Nations, 2 non-member States, representatives of 12 entities of the United Nations system and observers for the institutes of the United Nations

crime prevention and criminal justice programme network, 13 intergovernmental organizations and 34 non-governmental organizations in consultative status with the Economic and Social Council. A list of participants is contained in document E/CN.15/2015/INF/2/Rev.1.

D. Election of officers

105. Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened twenty-third session, on 5 December 2014, opened its twenty-fourth session for the purpose of electing its bureau for that session. In view of the rotation of offices based on regional distribution, the officers elected for the twenty-fourth session of the Commission and their respective regional groups are listed below.

106. On 12 December 2014, the Group of Asia-Pacific States nominated Mitsuru Kitano of Japan for the office of Second Vice-Chair. On 6 February 2015, the Group of African States nominated Michael Adipo Okoth Oyugi of Kenya for the office of Third Vice-Chair. On 16 January, the Group of Eastern European States nominated Albin Otruba of Slovakia for the office of Rapporteur. The Commission elected the Second Vice-Chair, Third Vice-Chair and Rapporteur during its consideration of agenda item 1.

107. The officers of the Commission at its twenty-fourth session were as follows:

Chair	Latin American and Caribbean States	Luis Alfonso de Alba (Mexico)
First Vice-Chair	Western European and other States	Bente Angell-Hansen (Norway)
Second Vice-Chair	Asia-Pacific States	Mitsuru Kitano (Japan)
Third Vice-Chair	African States	Michael A. O. Oyugi (Kenya)
Rapporteur	Eastern European States	Albin Otruba (Slovakia)

108. A group composed of the chairs of the five regional groups (the representatives of Italy and Nigeria and the observers for Azerbaijan, Jordan and Panama), the observer for Chile (on behalf of the Group of 77 and China) and the observer for Latvia (on behalf of the European Union) was established to assist the Chair of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended Bureau foreseen in Economic and Social Council resolution 2003/31. During the twenty-fourth session of the Commission, the extended Bureau met on 20 and 21 May 2015 to consider matters related to the organization of work.

E. Adoption of the agenda and organization of work

109. At its 1st meeting, on 18 May 2015, the Commission adopted the provisional agenda and proposed organization of work (E/CN.15/2015/1), which had been approved by the Economic and Social Council in its decision 2014/230.

F. Documentation

110. The documents before the Commission at its twenty-fourth session are listed in conference room paper E/CN.15/2015/CRP.7.

G. Closure of the current part of the session

111. At its 9th meeting, on 22 May 2015, the Commission heard closing statements by the Executive Director of UNODC and by the Chair of the Commission.